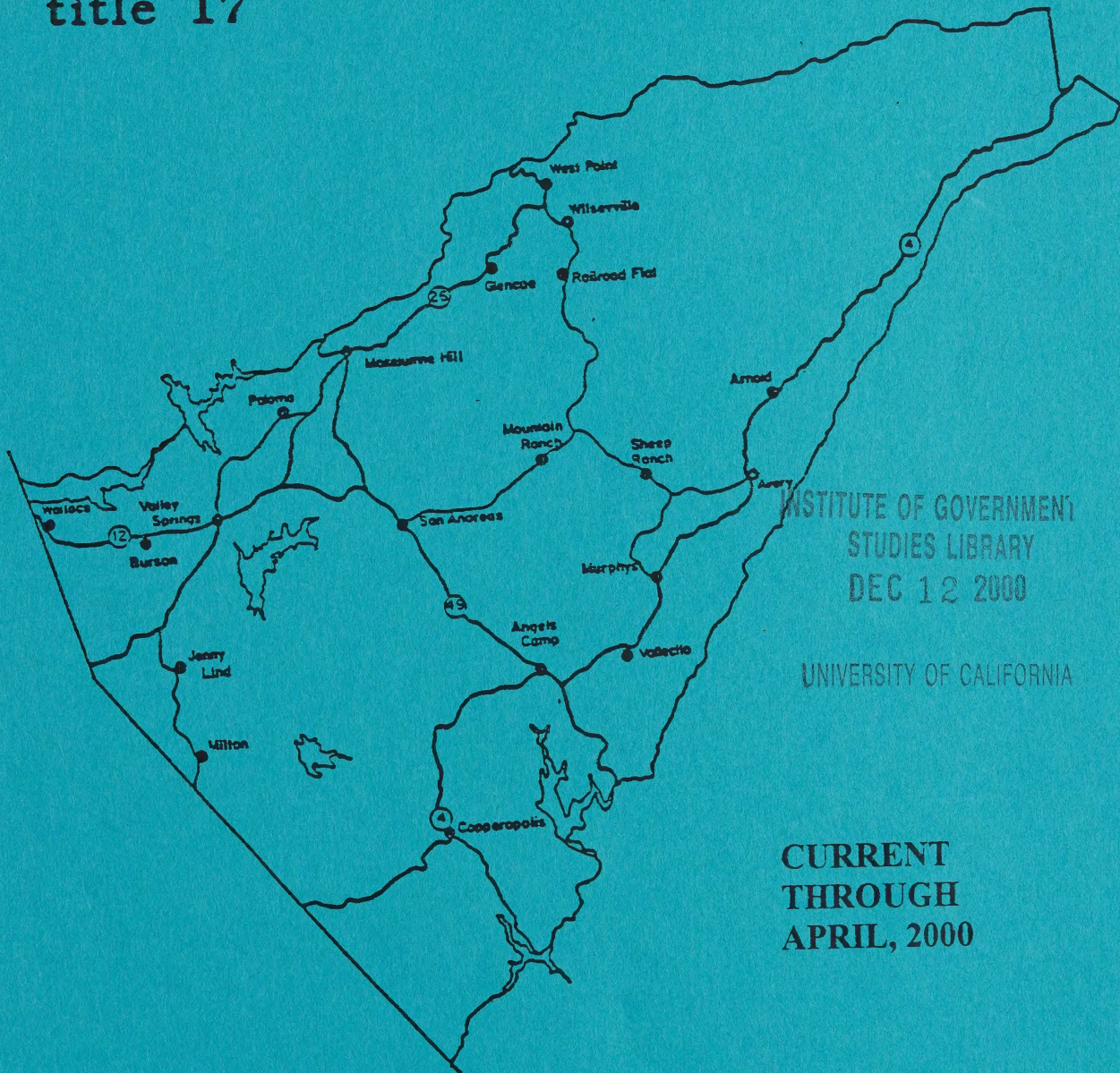


CALAVERAS COUNTY ZONING CODE

title 17



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THROUGH
APRIL, 2000**

EXHIBIT A

ZA 99-108A - AMENDMENTS TO THE GENERAL AGRICULTURE (A1), AGRICULTURE PRESERVE (AP), GENERAL FOREST (GF), TIMBER PRODUCTION (TP) AND RECREATION (REC) ZONES

Add the following to the Definitions Section 17.06

Chapter 17.06 Definitions

17.06.1015 Hunting and Fishing Club/Preserve: A recreational club or preserve established for public or private membership where hunting and fishing are supported.

17.06.1852 Target Shooting Organizations: The use of property with stationary or mobile targets are provided for repetitive firing of projectiles for target practice by an organization. These provisions do not apply to strictly private uses.

Amend the following Zoning Districts:

Chapter 17.16 General Agriculture (A1) Zone

17.16.020 Permitted Use. A. The following uses are permitted in the A1 zone:

- 11. Hunting and fishing clubs/preserves

17.16.030 Conditional Uses. The following uses are permitted in the A1 zone upon approval and validation of a conditional use permit:

- Y. Target and shooting ranges

Chapter 17.18 Agriculture Preserve (AP) Zone

17.18.020 Permitted Uses. A. The following uses are permitted in the AP zone:

- O. Hunting and fishing clubs/preserves

17.18.030 Conditional Uses. The following uses are permitted in the AP zone upon approval and validation of a conditional use permit:

- O. Target and shooting ranges

Chapter 17.12 General Forest (GF) Zone

17.12.020 Permitted Uses. The Following uses are permitted in the GF zone:

- P. Hunting and fishing clubs/preserves

17.12.030 Conditional Uses. The following uses are permitted in the GF zone upon approval and validation of a conditional use permit:

- P. Target and shooting ranges

Chapter 17.14 Timber Production (TP) Zone

17.14.020 Permitted Uses. The following uses are permitted in the TP zone:

- * L. Hunting and fishing clubs/preserves

17.14.030 Conditional Uses. The following uses are permitted in the TP zone upon approval and validation of a conditional use permit:

- I. Target and shooting ranges

Chapter 17.46 Recreation (REC) Zone

17.46.020 Permitted Uses. The following uses are permitted in the REC zone on parcels of twenty acres or more:

- Q. Hunting and fishing clubs/preserves

17.46.030 Conditional Uses. B. The following uses are permitted in the REC zone upon approval and validation of a conditional use permit:

- 16. Target and shooting ranges

Planning

BOARD OF SUPERVISORS
COUNTY OF CALAVERAS, STATE OF CALIFORNIA
JUNE 12, 2000

ORDINANCE NO. 2624 AN ORDINANCE AMENDING THE ZONING CODE REQUIRING A CONDITIONAL USE PERMIT FOR TARGET AND SHOOTING RANGES (ZA 99-108A)

The Board of Supervisors does ordain the following:

SECTION 1. Because of the potential impacts on neighboring properties, target and shooting ranges need to have public hearings.

SECTION II. Requiring a conditional use permit is the more appropriate method for public review and input.

SECTION III. A conditional use permit will be required in General Agriculture (A1), Agriculture Preserve (AP), General Forest (GF), Timber Preserve (TP) and Recreation (REC - on more than 20 acres) zones and to the aforementioned amendments shall be as set forth in the attached Exhibit A.

This Ordinance shall, before the expiration of fifteen days of the passage of the same, be published with the names of the members of the Board of Supervisors voting for and against the same, for at least one week in a newspaper of general circulation published in the County of Calaveras and shall take effect thirty days after passage.

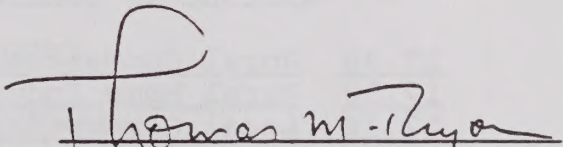
Passed and adopted this 12th day of June, 2000, by the following vote:

AYES: Supervisors Thein, Stein, Callaway & Bailey

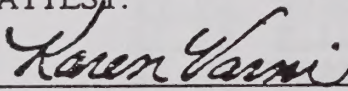
NOES: None

ABSENT: None

ABSTAINED: Supervisor Tryon


Chair, Board of Supervisors

ATTEST:


County Clerk and Ex-Officio Clerk to the
Board of Supervisors of the County of
Calaveras, State of California

PUBLISH: June 20, 2000

Title 17

ZONING*

Chapters:

SUBTITLE I. GENERAL

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- 17.04 General Regulations
- 17.06 Definitions
- 17.08 Zones Established

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- 17.10 Unclassified (U) Zone
- 17.11 Highway Service (HS) Zone

ARTICLE 2. RESOURCE ZONES

- 17.12 General Forest (GF) Zone
- 17.14 Timber Production (TP) Zone
- 17.16 General Agriculture (A1) Zone
- 17.18 Agriculture Preserve (AP) Zone
- 17.20 Residential Agriculture (RA) Zone

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- 17.22 Rural Residential (RR) Zone
- 17.24 Single-family (R1) Residential
- 17.26 Two-family Residential (R2) Zone
- 17.28 Multiple-family Residential (R3) Zone

ARTICLE 3.5. SPECIFIC PLAN ZONES

- 17.29 Specific Plan (SP) Zone

ARTICLE 4. COMMERCIAL AND ECONOMIC ZONES

- 17.30 Rural Commercial (RC) Zone
- 17.32 Rural Home Industry (RM) Zone
- 17.34 Local Commercial (C1) Zone
- 17.36 General Commercial (C2) Zone
- 17.38 Professional Offices (CP) Zone

* For statutory provisions on zoning, see Gov. Code §65800, et seq. The current zoning map is available for examination in the office of the planning department.

Chapters: (Continued)

- 17.40 Light Industrial (M1) Zone
- 17.42 General Industrial (M2) Zone
- 17.44 Business Park (M4) Zone
- 17.46 Recreation (REC) Zone
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- 17.50 Planned Development (PD) Combining Zone
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- 17.55 Manufactured Home Standards
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SUBTITLE I. GENERAL

Chapters:

<u>17.02</u>	<u>General Provisions</u>
<u>17.04</u>	<u>General Regulations</u>
<u>17.06</u>	<u>Definitions</u>
<u>17.08</u>	<u>Zones Established</u>

Chapter 17.02GENERAL PROVISIONS*Sections:

- 17.02.010 Purpose.
- 17.02.020 Effect on previous approvals.
- 17.02.030 Effect on previous specific zones.

17.02.010 Purpose. The ordinances codified in this title are enacted for the following purposes:

A. To provide a means of implementing the policies of the Calaveras County General Plan;

B. To provide a means to classify, and ensure adequate development of real property in the unincorporated portion of the county;

C. To ensure that there are adequate services available to meet the needs of residences, business, commerce, recreation and industry;

D. To establish fair, consistent development standards;

E. To provide a means of prompt, fair, project consideration and review. (Ord. 1812 §1(part), 1986).

17.02.020 Effect on previous approvals. A. Any land use or permit which was valid under the provisions of Ordinance 250 and its amendments shall be presumed to be valid as long as all conditions of its original issuance are satisfied, and as long as a period of one year has not passed since the use was last active at its permit site.

B. Any land use or permit which was valid under the provisions of Ordinance 945 or its amendments shall be presumed to be valid as long as all conditions of its original

* Prior ordinance history: Chapter 17.02 was revised by Ord. 1812. Provisions of Chapter 17.02 were formerly derived from Ords. 945, 1718 and 1810.

issuance are satisfied, and as long as a period of one year has not passed since the use was last active at its permit site.

C. Any land use which was established in violation of the provisions of Ordinance 250 and its amendments, or Ordinance 945 and its amendments shall be presumed to not be in compliance with this title, and shall be required to conform with the standards in effect at the time of its discovery. (Ord. 1812 §1(part), 1986).

17.02.030 Effect on previous specific zones. Any area specifically zoned under the provisions of this title prior to August 30, 1993, shall be automatically zoned as follows:

A. Any H-1 zone shall be classified HS, and shall be considered an interim zone;

B. Any A-1-X zone shall be classified A1;

C. Any R-2 zone adopted under the provisions of Ordinance 250 or its amendments shall be classified R3-3500 or the density permitted in the general plan;

D. Any R-3 zone adopted under the provisions of Ordinance 250 or its amendments, or R-3-1000 zone adopted under the provisions of Ordinance 945 or its amendments shall be classified R3-3500 or the density permitted in the general plan;

E. Any I zone shall be classified U until more specific zoning consistent with the general plan is sought or adopted;

F. Any DC or DR combining zone is repealed;

G. Any lands within an airport approach zone shall be classified into the -AO combining district;

H. Any lands located within an airport height limitation zone shall be classified in the HL combining district. (Ord. 2345 §3 Exh. A (part), 1993; Ord. 1903 §1, 1987; Ord. 1812 §1(part), 1986).

Chapter 17.04GENERAL REGULATIONS*Sections:

- 17.04.010 Restriction on building construction and land use.
- 17.04.020 Exception to height requirements.
- 17.04.030 Access requirements.
- 17.04.040 Slope access.
- 17.04.060 Standards for automobile wrecking yards.
- 17.04.070 Bulk tire storage.
- 17.04.080 Standards for campgrounds.
- 17.04.090 Public utility lines.
- 17.04.100 Compliance with general plan.
- 17.04.110 Administrative use permits.
- 17.04.115 Film permits.
- 17.04.120 Standards for labor camps and logging camps.
- 17.04.130 Temporary use of a mobile home or trailer.
- 17.04.150 Time-sharing land use development standards.
- 17.04.160 Ministorage and warehousing development standards.
- 17.04.170 Dead storage of mobile homes and recreation vehicles.
- 17.04.180 Camping on private property.
- 17.04.190 Improvement security.
- 17.04.200 Density bonus.
- 17.04.210 Junk.
- 17.04.220 Swimming pools.
- 17.04.230 Model home sales office.

17.04.010 Restriction on building construction and land use. A. No building or structure shall be constructed, nor any land use commenced, enlarged or altered unless it is permitted in the zone in which the land is located.

B. No building, structure or use of land shall commence, be altered, or enlarged unless it meets the requirements of the zone in which the land is located.

* Prior ordinance history: Chapter 17.04 was revised by Ord. 1812. Provisions of Chapter 17.04 were formerly codified at Chapter 17.56, deriving from Ords. 945, 1115, 1234, 1237, 1342, 1349, 1461, 1581, 1624, 1645 and 1810.

C. A legally existing nonconforming use or structure may be expanded or enlarged upon approval of a conditional use permit pursuant to Chapter 17.82 and 17.90. (Ord. 1812 §1(part), 1986).

17.04.020 Exception to height requirements. The maximum height limitations within a zone do not apply to telecommunication antennae, poles, silos, safety devices or support structures except within the Airport Height Limitation combining district. (Ord. 1812 §1(part), 1986).

17.04.030 Access requirements. Each use of land or structure shall have legal access from the nearest public road. Such access shall be constructed to the standards of the department of public works for the land use proposed. (Ord. 1812 §1(part), 1986).

17.04.040 Slope access. A proposed residential development that is located on slopes of fifty percent or more may be subject to the following requirements:

- A. Increased lot size;
 - B. Provisions for alternate access;
 - C. Engineered or enlarged site plans showing slope; soil stabilization;
 - D. Implementation of methods of erosion control; or
 - E. Grading plans prepared by a registered civil engineer;
 - F. Denial of permit until necessary requirements to ensure a stable, safe and adequate building site are taken.
- (Ord. 1812 §1(part), 1986).

17.04.060 Standards for automobile wrecking yards.

The following standards shall apply to automobile wrecking yards, even if vehicles other than automobiles are the primary inventory:

A. There shall be a solid fence of a minimum of six feet high around the perimeter of the facility. The fence shall be constructed of materials that complement the adjoining land uses. If the wrecking yard is in an area that has existing residences or the future land use permits residential development, the fence shall be constructed of wood, and painted a neutral or natural color. If the facility is located in a commercial or industrial area, the fence may be metal, fiberglass or wood;

B. All inventory stored outside of a structure shall be screened from the view of passing roads or adjoining development;

C. Any burning shall not be permitted without permits from the appropriate fire protection agency and the county air-pollution control district;

D. No wrecking yard shall become the cause of repeated and legitimate complaints concerning noise, dust, odor, smoke, vibration, broadcast reception interference, or visual appearance;

E. The requirements of the state shall be satisfied. (Ord. 1812 §1(part), 1986).

17.04.070 Bulk tire storage. Site development standards for the storage of more than fifty used tires shall be as follows:

A. Tire piles shall be kept in a neat and orderly fashion, covered if necessary, to ensure that rain and surface water do not collect in and around the tires;

B. The standards of the responsible fire protection agency shall be satisfied;

C. Tires shall be screened and stored in such a manner so that the materials are not visible from adjoining roads or residential property;

D. The requirements of the Department of Environmental Health shall be satisfied in relation to control of vectors. (Ord. 1812 §1(part), 1986).

17.04.080 Standards for campgrounds. A. All campgrounds shall meet the requirements of 25 CAC Chapter 2, Special Occupancy Parks.

B. All campgrounds serving recreation vehicles shall have a sewage/septage receptacle for vehicle tanks of a size and design meeting the requirements of the Department of Environmental Health.

C. All campgrounds shall be served by a flush-type toilet with a septic system or sewer connection meeting the requirements of the Department of Environmental Health.

D. Campgrounds shall meet the requirements of the responsible fire protection agency.

E. All campgrounds shall be served by access routes capable of the safe and adequate capacity and surface material to handle the projected peak traffic load.

F. Campground parking areas shall be exempt from the paving requirements of Chapter 17.70 for parking areas. Access roads to the campground may require improvement or paving in conformance with the requirements of the road ordinance. (Ord. 1812 §1(part), 1986).

17.04.090 Public utility lines. A. Public utility lines, including and not limited to, electrical power, natural gas, telecommunications, cable television, water, or sewer, are permitted outright in all zones provided that the intent of such lines is to connect individual properties to the utility services, and further provided that electric power lines are rated at less than two hundred kilovolts.

B. Electrical transmission lines of two hundred kilovolts or more require review by the planning commission to determine if the project will have a significant effect on the environment.

C. Electrical transmission lines of two hundred kilovolts or more located within the corridor of a scenic highway, or within a design review district, shall be subject to review by the planning commission or applicable design review committee to determine the potential environmental effects on the scenic highway and scenic quality of the area.

D. Public utility lines shall be located below ground level in all new subdivisions where the largest parcel is three acres or less, or where more than seventy-five percent of the parcels are three acres or less. Underground utility lines shall be required on all new development within an underground utility district. All new commercial, multiple-family residential, industrial or recreation development shall have utilities on-site, installed underground. (Ord. 1812 §1(part), 1986).

17.04.100 Compliance with general plan. No land development shall take place, nor shall any permit be approved that does not comply with the goals, policies and general land uses of the general plan. In the event of conflict between the policies and standards of this title and the general plan, the general plan shall prevail. In the event a land use is established that is not in conformance with the general plan, the land use shall be required to conform with the provisions of the general plan in effect at the time of discovery. (Ord. 1812 §1(part), 1986).

17.04.110 Administrative use permits. Whenever the provisions of this title require an administrative use permit, or for the following uses, this section shall apply:

A. Uses for Which an Administrative Use Permit is Required.

1. Retail sales, including souvenir item sales, not located in a permanent structure;
2. Yard sales, garage sales, fruit and vegetable stands in zones where the use is not a permitted use, barn sales, and flea markets, church bazaars, school fundraisers, local community associations functions exceeding six calendar days per year;
3. Circus, carnival, parade, pedestrian, bicycle, or vehicular race, entertainment event with a projected attendance of fewer than one thousand persons;
4. Similar uses as found by the community development director to be consistent with this section;
5. Logging camp;
6. Directional signs.

B. Application Procedure. The proponent of the event shall submit an application to the community development director at least thirty days prior to the event, along with a site plan of the facilities, location, and other information meeting the requirements of the planning department. The community development director may require additional information prior to acceptance of the application as complete.

C. Application Review. Within ten days of application acceptance, the community development director shall determine whether additional information is needed, and whether any public agencies should be contacted.

D. Determination. At least ten days prior to the event, the community development director shall approve, conditionally approve or deny the permit. Notification of such determination shall be in writing and delivered via the United States mail with first class postage prepaid, or by personal service to the proponent.

E. Extent of Conditions. Conditions applied to administrative use permits are limited to those conditions that will protect the public health, safety, and welfare.

F. Findings for Denial. If the community development director finds that the proposed use for which the permit is sought has the potential to affect the public health, safety and welfare, and that there are no permit conditions that can offset these effects, or that the proposal is not consistent with the general plan or zoning ordinance, the community development director shall deny the permit.

G. Appeal. The applicant or any aggrieved party may appeal the decision of the community development director pursuant to this title.

H. Environmental Review. An administrative use permit is a county categorical exemption.

I. Effective Date. After approval of the administrative use permit, if it is renewed for three consecutive years with fees paid for each renewal, the permit shall automatically be effective for the following years unless problems are reported to the community development director. Should the use lapse for one year, then a new administrative use permit is required. (Ord. 2614 §3 Exh. A(part), 2000: Ord. 2405 Exh. A(part), 1994; Ord. 2017 §3 Exh. A(part), 1989: Ord. 1903 §2, 1987; Ord. 1812 §1(part), 1986).

17.04.115 Film permits. The following regulations shall apply to television, motion picture or commercial productions.

A. Application Procedure. The proponent of the event shall submit an application to the planning department at least ten days prior to the event, along with a site plan and a traffic control plan, and any other information meeting the requirements of the planning department.

B. Application Review. The planning department shall route the application to other public agencies as necessary.

C. Determination. Prior to the event, the planning director shall approve, conditionally approve or deny the permit. Notification of such determination shall be in writing and delivered via the United States mail with the first class postage prepaid or by personal service to the proponent. All applicable fees, staff costs and other applicable fees shall be paid prior to issuance of the film permit.

D. Extent of Conditions. Conditions applied to special permits are limited to those conditions that will protect the public health, safety and welfare.

E. Findings for Denial. If the planning director finds that the proposed use for which the permit is sought has the potential to affect the public health, safety and welfare, and that there are no permit conditions that can offset these effects, or that the proposal is not consistent with the General Plan or Zoning Ordinance, the planning director shall deny the permit.

F. Appeal. The applicant or any aggrieved party may appeal the decision of the planning director pursuant to this title.

G. Environmental Review. A film permit is a type of administrative use permit which is a county categorical exemption. (Ord. 2405 Exh. A(part), 1994).

17.04.120 Standards for labor camps and logging camps. All labor and logging camps shall be developed to the following standards, and shall be in compliance with the housing element of the general plan (for the purposes of this section, labor camp shall mean temporary, seasonal or permanent labor camp, and logging employees or logging camp):

A. The standards of 25 CAC Chapter 1, Employee Housing, shall apply;

B. All labor camps shall provide domestic water meeting the approval of the Department of Environmental Health;

C. All labor camps shall have a sewage disposal system meeting the approval of the Department of Environmental Health;

D. All labor camps shall satisfy the requirements of the responsible fire protection agency and the California Department of Forestry;

E. The property owner shall be responsible for ensuring that solid waste and liquid waste are removed from the site on a regular basis, and that litter is cleaned from the premises. Disposal shall take place at an appropriate location as identified in the solid waste management plan for receiving solid or liquid waste;

F. As a condition of the use permit or administrative use permit, a limit on the occupancy time may be included;

G. If circumstances warrant, other reasonable conditions, as outlined in Chapter 17.82, may be included in the permit approval. (Ord. 1812 §1(part), 1986).

17.04.130 Temporary use of a mobile home or trailer.

A. Temporary use of a single-wide mobile home, recreation vehicle or travel trailer with a current, valid registration and license is permitted as a residence while building a permanent residence.

B. A temporary trailer permit may be issued for a maximum six-month term following the issuance of a building permit. A temporary trailer permit shall not be issued prior to obtaining and paying for a building permit for a permanent residence.

C. The six-month permit may be renewed for a second term of a maximum of six months, provided that the foundation for the residence has been completed. Proof of completion shall include a final inspection of footings and

forms for foundation; installation and a final inspection of a septic system or proof of connection to a sewer system; and submittal of receipts for the materials for the foundation or on-site inspection by a representative of the county.

D. Failure to comply with the terms of the permit, or the termination of the permit shall result in enforcement by the following provisions:

1. Revocation of the building permit; and/or
2. Enforcement pursuant to this title;
3. Refusal to renew the temporary trailer permit.

E. Only one temporary trailer permit may be issued for an assessor parcel, except in the case of destruction of the on-site dwelling so that it cannot be occupied during reconstruction.

F. Use as a Classroom. A mobile home used as a classroom by an educational institution is a permitted structure without MH zoning.

G. Use as a Caretaker Facility. A mobile home on a temporary foundation for use by a caretaker for security purposes is permitted if so stated as an identified use in the specific base zones. (Ord. 1812 §1(part), 1986).

17.04.150 Time-sharing land use development standards. All projects which are time-sharing land uses pursuant to Chapter 17.06 are subject to the following development standards in addition to any requirements of the base zoning district or applicable combining districts:

A. Compliance With Other Agency Requirements. Prior to the issuance of any building permits, the planning director shall receive proof from responsible public agencies that all requirements of the agencies have been satisfied.

B. Conformance to Subdivision Requirements. Prior to the issuance of any building permits, the developer shall comply with the applicable requirements of Title 16 of this code, the subdivision ordinance. (Ord. 1812 §1(part), 1986).

17.04.160 Ministorage and warehousing development standards. A. All ministorage and warehousing development shall:

1. Have paved access meeting the requirements of Section 17.70.050.

2. Have a minimum distance between buildings as measured from exterior base of foundation to exterior base of foundation of not less than twenty-five feet.

B. No use or occupancy shall commence until a final inspection by the chief building inspector has been approved, and a certificate of occupancy issued.

C. No ministorage structure or warehouse structure shall be converted to non-ministorage use or nonwarehouse use without approval and validation of a conditional use

permit pursuant to this title, and Titles 8 and 15 of this code. A use permit for conversion to nonstorage use is required whether or not the proposed new use is permitted or conditionally permitted in the base zoning district. A use permit is required whether the change of use is for one portion of the storage facility or structure, or for the entire facility or structure. No use or occupancy shall commence following conversion until an inspection of the premises has been approved by the planning director or the chief building official to ensure that building codes and parking requirements are satisfied, and a certificate of occupancy has been issued. (Ord. 1872 §2(part), 1987; Ord. 1812 §1(part), 1986).

17.04.170 Dead storage of mobile homes and recreation vehicles. A. A travel trailer or other recreation vehicle may be kept in dead storage on private property in any zoning district, provided that the unit is currently registered with the Department of Motor Vehicles.

B. A mobile home shall not be kept in dead storage on any property except under the terms of subsection C or D of this section.

C. A mobile home may be placed in dead storage in the C2, M1 or M2 districts, provided that the parcel on which the mobile home is stored has a business license issued for, and is developed in compliance with this title for one of the following land uses:

1. Warehouse, ministorage yards;
2. Mobile home sales.

D. A mobile home may be kept in dead storage in a mobile home park permitted under the provisions of this title. (Ord. 2017 §3, Exh. A(part), 1989; Ord. 1812 §1(part), 1986).

17.04.180 Camping on private property. Camping outside of designated camping areas either in a recreation vehicle or other shelter or means is allowed for a continuous period of up to fourteen days or a cumulative period not to exceed thirty days in one calendar year. (Ord. 1812 §1(part), 1986).

17.04.190 Improvement security. A. Improvement requirements for conditional use permits, design review permits, planned development permits, mineral extraction permits, or reclamation plans may be satisfied by posting security consistent with the requirements of this section.

B. The following improvements may be satisfied as conditions of permit approval through the posting of improvement security:

1. Landscaping, for a period not to exceed six months;

2. Parking requirements pursuant to Section 17.70.140;

3. Mining reclamation; improvement security may be posted based on the conditions of plan approval, mine permit approval or for phases of the project;

4. Any other improvements, if posting of security is permitted under the terms of permit approval based on specific reference to "bonding" or "security" in the condition.

C. The following instruments are acceptable as improvement security pursuant to this section:

1. Legal tender: cash, certified check, or money order, made payable to the Planning Department Trust, County of Calaveras;

2. Letter of credit from a California financial institution guaranteeing payment on demand;

3. Certificate of deposit made payable to the Planning Department Trust, County of Calaveras;

4. Surety bond from a company or corporation acceptable to the county, provided that a surety bond is permitted under terms of the planning commission approval. The planning director may decline to accept surety bonds.

D. The following procedure shall be utilized for determining the amount of improvement security:

1. For landscaping, the permit holder shall obtain three bids from certified California nurserymen, a landscape architect or a landscape contractor indicating the amounts for materials and labor, and indicating that the bid will be valid at the time the security instrument matures;

2. For mining permits and reclamation plans, the procedures will be established on a case-by-case basis through agreement between the permit holder and the planning director;

3. For parking areas, the permit holder shall submit three bids indicating prices for material and labor and guaranteeing performance of the work at the security instrument maturity date;

4. For all other types of improvements, the planning director shall establish procedures as needed and inform the permit holder.

E. The following amounts shall be required for improvement security:

1. Legal tender or certificate of deposit, one hundred fifteen percent of the highest bid amount;

2. Letter of credit, one hundred fifty percent of the highest bid amount;

3. Surety bond, three hundred percent of highest bid amount, unless otherwise approved by the planning director, and in no case less than two hundred percent of the highest bid amount.

F. If the permit holder fails to comply with the improvements by the maturity date specified in the security agreement, the planning director shall order the seizure of the security, and shall award a contract pursuant to county policy and state law to undertake the work.

G. If the body that approved the original permit finds that there are extenuating circumstances beyond the permit holder's control, the maturity date may be extended for a term of one extension of time for up to six months, provided that accepted bids are renewed, and the amount of security is increased by an amount to cover the change in bid prices.

H. Following completion of the work, any remaining funds in the trust account applicable to this project, including unused accrued interest, shall be returned to the project proponent. (Ord. 2345 §3 Exh. A(part), 1993; Ord. 1812 §1(part), 1986).

17.04.200 Density bonus. Pursuant to the provisions of the housing element of the general plan, applicable projects may apply for planning commission approval of a density bonus with a conditional use permit pursuant to this title. A use permit for a density bonus is required even if the use is permitted within the zoning district.

A. The density bonus shall not exceed twenty-five percent of the maximum permitted density under provisions of the applicable general or community plan.

1. The determination of the density bonus shall be computed by first determining the maximum density of the parcel, rounded down to the nearest whole number. (Example: A density of 11.95 becomes a density of 11 units.)

2. The maximum density is multiplied by 1.25. The product is rounded down to the nearest whole number. (Example: A density and bonus of 1497 becomes 14.)

B. Qualifications for Residents.

1. Bonus units shall be made available to families with a total income, prior to deductions on the previous calendar-year income tax return, of equal to or less than one hundred twenty percent of the county's median income for the year.

2. Bonus units which are sold to qualifying residents shall include a recorded deed restriction that requires resale to other qualifying persons, or recapture of excess capital gain.

C. Site Development. Bonus units shall be integrated within the development, and shall not be distinguishable from other units which are rented, leased, or sold at market value.

D. The planning commission may impose conditions on the project as would be considered with any similar project. (Ord. 1903 §3, 1987; Ord. 1812 §1(part), 1986).

17.04.210 Junk. No property owner, tenant, occupant, or other use of public or private property in the county shall permit or cause to accumulate junk, debris, or junk cars, as defined in Section 17.06.1030, on any parcel of land zoned residential agriculture (RA), rural residential (RR) or single-family residential (R1), two-family residential (R2) and multiple-family residential (R3) unless that junk, debris or junk cars are completely enclosed within a structure with solid walls and a roof. (Ord. 2540 §1, 1998: Ord. 1872 §1(part), 1987).

17.04.220 Swimming pools. For purposes of locating in-ground swimming pools, a variance is not required if the pool is no closer than five feet to property lines pending meeting the following criteria:

A. The edge of the pool shall be measured from the inside wall of the swimming pool nearest the property line.

B. This provision does not apply to aboveground pool service equipment and slides or other features located aboveground, which are required to comply with the setback requirements unless a variance is approved.

C. Awnings, outbuildings, if supportive of the swimming pool, and other structures are required to comply with the standard setbacks of the zone district.

D. Engineered plans for the swimming pool are required prior to construction of the pool. Plans are to be approved by the county building department. (Ord. 2614 §3 Exh. A(part), 2000).

17.04.230 Model home sales office. A model home, temporary building, contractor's storage and construction yard, or a real estate sales office in connection with the marketing of a new subdivision irrespective of the number of lots, may be approved by the community development director subject to the following conditions:

A. Time Limit. Such permits may be issued and remain active to allow buildout and sales of the subdivision subject to the following standards.

B. Must Comply With Area Requirements. All buildings and structures permitted hereunder shall comply with all height and area requirements of the zone district in which it is located.

C. Upon completion of all sales activity and construction activity, the model home shall have the sales office, if located in a remodeled garage, converted back into a garage prior to sale of the model home. All signs of any contractor and any temporary signs shall be removed.

D. Any off-street parking provided for the model home shall be removed and either a dwelling constructed or the lot landscaped with a suitable groundcover and maintained.

E. The model home sales facility shall only apply to the marketing of homes proposed to be constructed within the new subdivision and not for units to be constructed outside the limits of the proposed subdivision.

F. A speculative home (defined as a dwelling constructed with the intent to offer an individual new home for sale by an owner-builder) shall not be considered a model home for the purposes of this chapter. A "sample" home constructed as a model and lived in by the proprietor is considered a rural home business and not a conditional use. (Ord. 2614 §3 Exh. A(part), 2000).

Chapter 17.06

DEFINITIONS*

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* Prior ordinance history: Chapter 17.06 was revised by Ord. 1812. Provisions of Chapter 17.06 were formerly codified at Chapter 17.04, deriving from Ords. 945, 1717, 1234, 1235, 1237, 1342, 1349, 1460, 1461, 1581, 1603, 1624, 1687 and 1810.

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17.06.0250	Airport transitional surface.
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Sections: (Continued)

17.06.0680	Density transfer.
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17.06.0815	Feed store.
17.06.0820	Fence, wall.
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17.06.0830	Floodplain.
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17.06.0900	Greenhouse.
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17.06.0920	Group care home.
17.06.0925	Gunshop/gunsmith.
17.06.0930	HUD standard manufactured housing.
17.06.0940	Hazard to air navigation.
17.06.0943	Hazardous waste.
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17.06.0950	Health and Safety Code.
17.06.0960	Health officer.
17.06.0970	Height.
17.06.0980	Highway.
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17.06.1000	Hospital.
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17.06.1020	Industry.
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17.06.1040	Junkyard.
17.06.1050	Kennel, commercial.
17.06.1060	Kennel, private.
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Sections: (Continued)

17.06.1120	Livestock.
17.06.1130	Logging camp.
17.06.1140	Lot.
17.06.1150	Lot coverage.
17.06.1160	Lot depth.
17.06.1170	Lot width.
17.06.1180	Lumberyard, building materials, retail or wholesale.
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17.06.1250	Mining waste.
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17.06.1290	Modular house.
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17.06.1310	Multiple-family residential.
17.06.1320	Nonconforming building or use.
17.06.1330	Nursery.
17.06.1340	Obstruction.
17.06.1350	Occupancy.
17.06.1360	Off-site.
17.06.1365	Off-site facility.
17.06.1370	On-site.
17.06.1375	On-site facility.
17.06.1380	Overburden.
17.06.1390	Packaging of materials.
17.06.1400	Parcel, lot.
17.06.1410	Park, playground.
17.06.1420	Parking area.
17.06.1430	Permit.
17.06.1440	Personal service.
17.06.1450	Petrochemical storage.
17.06.1460	Picnic area.
17.06.1470	Planned development.
17.06.1480	Planned unit development.
17.06.1490	Planning commission.
17.06.1500	Planning department.
17.06.1510	Planning director.
17.06.1520	Professional office.
17.06.1530	Property owner association.
17.06.1540	Public agency.
17.06.1550	Public area.
17.06.1560	Public Resources Code.

Sections: (Continued)

17.06.1570	Public services.
17.06.1580	Public utility.
17.06.1590	Ready-mix (or Redi-mix).
17.06.1600	Reclamation.
17.06.1610	Recreation.
17.06.1620	Recreation center.
17.06.1630	Recreation vehicle.
17.06.1640	Recreation vehicle storage.
17.06.1650	Rental equipment agency.
17.06.1660	Residential equivalent unit.
17.06.1670	Residential occupation.
17.06.1680	Restaurant.
17.06.1690	Retail sales.
17.06.1695	Retreat.
17.06.1700	Right-of-way.
17.06.1710	Road.
17.06.1720	Rural home business.
17.06.1730	Rural home industry.
17.06.1740	Rural home medical clinic.
17.06.1750	Rural veterinarian clinic.
17.06.1760	Scenic highway.
17.06.1770	School.
17.06.1780	Sectional house.
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17.06.1790	Service station.
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17.06.1810	Special plan area, specific plan area.
17.06.1820	Stable.
17.06.1830	Stand.
17.06.1835	Storage facility.
17.06.1840	Story.
17.06.1850	Structure.
17.06.1855	Tavern.
17.06.1860	Tent.
17.06.1870	Time-sharing land use.
17.06.1880	Tire sales.
17.06.1890	Tire service and installation.
17.06.1900	Tire storage.
17.06.1905	Transfer facility.
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17.06.1920	Truck terminal.
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17.06.1930	Use.
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17.06.1960	Video equipment.

Sections: (Continued)

17.06.1970 Video game arcade.
17.06.1980 Visual clearance.
17.06.1990 Warehouse.
17.06.2000 Wholesale.
17.06.2010 Winery, wine-tasting room.
17.06.2015 Wood chipping and mulching.
17.06.2020 Woodyard.
17.06.2030 Yard.

17.06.0010 Generally. For the purposes of carrying out the intent of this title, words, phrases and terms used in this title shall be deemed to have the meaning ascribed to them in this chapter. When not inconsistent with the text, singular number includes the plural; words in the plural include the singular. The words "shall," "is" or "will" denote mandatory; the word "may" denotes permissive. (Ord. 1812 §1(part), 1986).

17.06.0020 Abut, abutting, adjoining. "Abut," "abutting" or "adjoining" all mean contiguous to or touching. (Ord. 1812 §1(part), 1986).

17.06.0030 Accepted farming practice. "Accepted farming practice" means a land use to produce plant and animal products utilizing customary, safe, and adequate techniques for crop management, harvesting and marketing. (Ord. 1872 §2(part), 1987; Ord. 1812 §1(part), 1986).

17.06.0050 Accepted timber practice. "Accepted timber practice" means the management of forest lands for growth, harvest, and production of timber and timber resources in a manner consistent with the Southern District Forest Practices Act. (Ord. 1812 §1(part), 1986).

17.06.0060 Access. "Access" means the physical means by which an individual in a vehicle is able to enter upon public or private property from a road. "Ingress" and "egress" are other words for access. (Ord. 1812 §1(part), 1986).

17.06.0070 Accessory dwelling. "Accessory dwelling" means either an attached or detached dwelling unit which provides potential living facilities for one or more persons, and exceeds the permitted density for a parcel by one unit. Accessory dwellings are subject to the provisions of Chapter 17.66. (Ord. 2345 §3 Exh. A(part), 1993: Ord. 1812 §1(part), 1986).

17.06.0080 Accessory use, structure. A. "Accessory use" means a land use that is associated with an existing permitted or conditional use within a zoning district. An accessory use shall not be permitted until the permitted or conditional use is established.

B. "Accessory structure" means a usual and customary building normally associated with a permitted or conditional use. (Ord. 1812 §1(part), 1986).

17.06.0090 Administrative Code. "Administrative Code" means the California Administrative Code, as approved by the Office of Administrative Law. It may be written as (Number of title) CAC (Section number). (Ord. 1812 §1(part), 1986).

17.06.0100 Administrative offices. "Administrative offices" means those buildings or facilities or portions thereof used by personnel in the management, direction, control, marketing or sales management of a business which may or may not have facilities located away from its administrative offices. (Ord. 1812 §1(part), 1986).

17.06.0110 Adult entertainment. A. "Adult entertainment" means a retail business, including an adult bookstore, adult theater or similar use, which meets any of the following criteria:

1. The use has more than twenty-five percent of its stock or inventory in sexually explicit materials described in subsection B of this section; or
2. The use result in exposition or shows comprising twenty-five percent or more of its entertainment with

sexually explicit acts or conduct described in subsection B of this section; or

3. The use derives more than twenty-five percent of its gross revenue from the sale, rental, lease, or showing of books, video productions, films, paraphernalia, photographs or other visual representations, materials or media which are sexually explicit as described in subsection B of this section.

B. "Sexually explicit" means descriptions or depictions of sexual intercourse, homosexual acts, masturbations, fellatio, cunnilingus, bestiality, sodomy, sadomasochistic abuse, or other sexual excitement or sexual conduct.

C. Adult entertainment also means "adult theater."

D. Adult entertainment also refers to any bed and breakfast inn, motel or hotel which provides any such films, video tape, cartridges or other viewing system for the use of guests or customers in individual rooms or otherwise.

E. Any business which falls under the terms of this section shall require a conditional use permit, whether or not a "bookstore," "bed and breakfast inn," "motel," "hotel" or "theater" is a permitted or conditional use in the base zoning district.

F. No business meeting the terms of this section shall locate within one thousand linear feet of another business meeting the terms of this section. (Ord. 1812 §1(part), 1986).

17.06.0120 Aggrieved party. "Aggrieved party" means a person, organization, corporation, concerned citizen, or any individual or group which demonstrates to the appellant board that they have an interest, either financial or otherwise, in property affected by the decision of the original decisionmaker. This definition is not intended to and does not confer standing to maintain an action in a court of law where standing would not otherwise exist. (Ord. 1812 §1 (part), 1986).

17.06.0130 Agriculture equipment sales. "Agriculture equipment sales" means a business which is primarily engaged in the sale of equipment, vehicles, materials, supplies and tools to serve farming, ranching or timber interests and businesses. (Ord. 1812 §1(part), 1986).

17.06.0140 Agriculture product processing, canning. "Agriculture product processing, canning" means the conversion of raw agriculture products into marketable commodities. (Ord. 1812 §1(part), 1986).

17.06.0150 Agriculture product sales. "Agriculture product sales" means the sale of food or fiber commodities

from the property where produced. (Ord. 1812 §1(part), 1986).

17.06.0160 Airport: "Airport" means a place on land or water, where aircraft may land and take off, receive and disembark passengers or cargo, may take in fuel, purchase accessories or obtain service or repair. "Airstrip" also means airport. (Ord. 1812 §1(part), 1986).

17.06.0170 Airport approach surface. "Airport approach surface" means a surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach-zone height limitation slope as set forth in this title. In plane, the perimeter of the approach surface coincides with the perimeter of the approach zone. (Ord. 1812 §1(part), 1986).

17.06.0180 Airport conical surface. "Airport conical surface" means a surface extending outward and upward from the periphery of the horizontal surface at a slope of twenty to one for a horizontal distance of four thousand feet. (Ord. 1812 §1(part), 1986).

17.06.0190 Airport conical zone. "Airport conical zone" means the area that commences at the periphery of the horizontal zone and extends outward therefrom a horizontal distance of four thousand feet. The zone slopes twenty feet outward for each foot upward, beginning at the periphery of the horizontal zone and at one hundred fifty feet above the airport elevation and extending to a height of three hundred fifty feet above the airport elevation. (Ord. 1812 §1(part), 1986).

17.06.0200 Airport elevation. "Airport elevation" means the highest point on the airport's usable landing area relative to mean sea level elevation. (Ord. 1812 §1(part), 1986).

17.06.0210 Airport horizontal elevation. "Airport horizontal surface" means a horizontal plane one hundred feet above the established airport elevation, the perimeter of which, in plane, coincides with the perimeter of the horizontal zone. (Ord. 1812 §1(part), 1986).

17.06.0220 Airport horizontal zone. "Airport horizontal zone" means the zone established by swinging arcs of five-thousand-foot radii from the center of each end of the primary surface of the runway and connecting the adjacent arcs by drawing a line tangent to the arcs. This zone is established as being one hundred fifty feet above the airport elevation. (Ord. 1812 §1(part), 1986).

17.06.0230 Airport primary surface. "Airport primary surface" means a surface longitudinally centered on an airport runway and extending two hundred feet beyond each end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. (Ord. 1812 §1(part), 1986).

17.06.0240 Airport runway. "Airport runway" means the physical improvement upon which airplanes land and take off. (Ord. 1812 §1(part), 1986).

17.06.0250 Airport transitional surface. "Airport transitional surface" means those surfaces that extend outward at ninety-degree angles to an airport runway centerline and the runway centerline extended at a slope of seven feet horizontally for each one foot vertically from the sides of the sides of the primary and approach surfaces to where they intersect the horizontal surface. (Ord. 1812 §1(part), 1986).

17.06.0260 Airport transitional zone. "Airport transitional zone" means the area beneath the airport transitional surface at an elevation of one hundred fifty feet above the airport elevation. (Ord. 1812 §1(part), 1986).

17.06.0270 Airport utility runway. "Airport utility runway" means the auxiliary or secondary runway. (Ord. 1812 §1(part), 1986).

17.06.0280 Airport utility runway approach zone. "Airport utility runway approach zone" means a runway approach zone for the utility runway. (Ord. 1812 §1(part), 1986).

17.06.0290 Apartment. "Apartment" means a dwelling unit located within a structure that contains three or more attached dwelling units in which the units are available for rent or lease. (Ord. 1812 §1(part), 1986).

17.06.0300 Area. "Area" means a piece of land that can be definitively described and located with specific boundaries. (Ord. 1812 §1(part), 1986).

17.06.0310 Assessor. "Assessor" means the Calaveras County assessor, an elected official. (Ord. 1812 §1(part), 1986).

17.06.0320 Automobile sales. "Automobile sales" means a land use in which the primary business is based upon retail or wholesale transactions involving the transfer of title to motor vehicles including automobiles, light utility vehicles, trucks, motorcycles, recreation vehicles and all-terrain vehicles, including mobile homes. (Ord. 1812 §1(part), 1986).

17.06.0330 Automobile service. "Automobile service" means a land use which is involved in the business of repairing and maintaining motor vehicles. (Ord. 1812 §1(part), 1986).

17.06.0340 Automobile wrecking yard. "Automobile wrecking yard" means a land use which is based on the storage, accumulation, rebuilding, reconditioning and/or sale of vehicles, whether running or not, vehicle parts, and/or vehicle materials. (Ord. 1812 §1(part), 1986).

17.06.0345 Bar. "Bar" means a structure or tenant space in a structure used primarily for the sale or dispensing of liquor by the drink (includes tavern, cocktail lounge, and pub). (Ord. 2614 §3 Exh. A(part), 2000).

17.06.0350 Bed and breakfast inn. "Bed and breakfast inn" means a business which involves accommodations in five or fewer guest rooms potentially with meals available but limited exclusively for guests of the inn. (Ord. 1812 §1(part), 1986).

17.06.0360 Billboard. "Billboard" means an outdoor sign advertising, promoting or informing of a business, product, issue or activity which takes place or is available at a location other than the location of the billboard. Billboards are subject to the provisions of Chapter 17.72. (Ord. 1812 §1(part), 1986).

17.06.0370 Board of supervisors. "Board of supervisors" means the five-member elected legislative body charged with the responsibility of running the county. (Ord. 1812 §1(part), 1986).

17.06.0380 Building. "Building" means structure. (Ord. 1812 §1(part), 1986).

17.06.0390 Building official. "Building official" means the head of the building department. (Ord. 1812 §1(part), 1986).

17.06.0400 Building setback. "Building setback" means the distance from a property line or the centerline of a road easement or right-of-way to the edge of the foundation stem wall of any building. A roof overhang or eave may extend into the setback area pursuant to the provisions of the current edition of the Uniform Building Code, as utilized by the building department. Building setbacks also apply to decks, swimming pools, septic tanks, wells

and propane tanks, as well as other aboveground structures or equipment. Refer to Diagram A at the end of this title showing building setbacks and yard areas. (Ord. 2614 §3 Exh. A(part), 2000: Ord. 1812 §1(part), 1986).

17.06.0410 Building site. "Building site" means the portion of a parcel upon which a building is proposed to be constructed. (Ord. 1812 §1(part), 1986).

17.06.0420 Business. "Business" means a land use established for the purposes of commerce and as a means of generating revenue or income. (Ord. 1812 §1(part), 1986).

17.06.0430 Business and Professions Code. "Business and Professions Code" means the California Business and Professions Code, which is written (title) B&P (section). (Ord. 1812 §1(part), 1986).

17.06.0440 Campground. "Campground" means a parcel of land upon which individuals may occupy locations for overnight accommodations in a recreation vehicle, tent or other camping equipment. (Ord. 2345 §3 Exh. A(part), 1993: Ord. 1812 §1(part), 1986).

17.06.0450 Camping. "Camping" means the temporary occupancy of a parcel of land or portion thereof in a tent, recreation vehicle or using other equipment. Camping is limited to the provisions of Chapter 17.04. (Ord. 2345 §3 Exh. A(part), 1993: Ord. 1812 §1(part), 1986).

17.06.0455 Cardroom or gaming/gambling establishment. Any premises wherein or whereon gaming/gambling is done. Gaming/gambling is the dealing, operating or conducting of any game. (Ord. 2614 §3 Exh. A(part), 2000).

17.06.0460 Carport. "Carport" means a structure which is attached or detached from another building, and which is open on at least two sides with a covering for vehicle storage. (Ord. 1812 §1(part), 1986).

17.06.0470 Cemetery. "Cemetery" means a place for the interment of the remains of the deceased either by burial, cryostorage, mausoleum or cremation. (Ord. 1812 §1(part), 1986).

17.06.0480 Centerline. "Centerline" means the line located equidistant from the edges of an easement or right-of-way. Centerline of a road right-of-way or easement does not mean the center of the physical location of the road. (Ord. 1812 §1(part), 1986).

17.06.0490 Church. "Church" means a land use that is used for the purposes of conducting religious services. Whether or not any reference is made, a church includes all other places of worship for any denomination. (Ord. 1812 §1(part), 1986).

17.06.0500 Clinic. "Clinic" means a land use which is established for the purposes of providing a health or lifestyle related service. (Ord. 1812 §1(part), 1986).

17.06.0505 Cocktail lounge. (See Bar at Section 17.06.0345). (Ord. 2614 §3 Exh. A(part), 2000).

17.06.0510 Combining district, combining zone. "Combining district" or "combining zone" means a land use classification that combines with a base zone to add additional planning opportunities to the use of land. (Ord. 1812 §1(part), 1986).

17.06.0520 Commercial. "Commercial" means use related to commerce and the production of revenue or income. (Ord. 1812 §1(part), 1986).

17.06.0525 Commercial agriculture. "Commercial agriculture" means a land use that shall produce from agricultural production not less than an average annual gross income of two thousand dollars based upon prevailing market values. (Ord. 1872 §1(part), 1987).

17.06.0530 Common area. "Common area" means a parcel or parcels that are part of a subdivision which are retained in the common ownership of the property owners of the subdivisions for common use or development. Common area parcels may not be separately sold or developed for other than common use. (Ord. 1812 §1(part), 1986).

17.06.0540 Community center. "Community center" means an area designated in the general plan as a place for residential development, commercial activities and light industry. (Ord. 1812 §1(part), 1986).

17.06.0550 Community plan area. "Community plan area" means an area designated in the general plan for which a document or land use plans and policies has been adopted for inclusion as a supplement for the general plan for that area. (Ord. 1812 §1(part), 1986).

17.06.0560 Conditional use permit. "Conditional use permit" means a land use permit issued in a zone for uses which have the potential to be incompatible with neighbor-

ing land uses and zoning and are to be permitted following a public hearing in which interested parties have the opportunity to comment. "Use permit" also means conditional use permit. (Ord. 1812 §1(part), 1986).

17.06.0570 Condominium. "Condominium" means as defined in the Business and Professions Code. In general, it is a multiple-family residential land use in which the interior air space of each dwelling unit is individually owned. The exterior walls, structures and common area are held by a corporation made up of the condominium owners. It is a system of separate ownership of individual units in a multiple-unit building. (Ord. 1812 §1(part), 1986).

17.06.0580 Construction. "Construction" means the physical development of a parcel, including site excavation and grading, framing and finishing, up to the point of final inspection, use or occupancy, whichever occurs first. (Ord. 1812 §1(part), 1986).

17.06.0590 Consumer service. "Consumer service" means a business which derives its principle revenue from offering an intangible product for sale, or provides a service. (Ord. 1812 §1(part), 1986).

17.06.0600 Contractor's equipment yard. "Contractor's equipment yard" means a parcel of land that is used for the temporary or ongoing storage of equipment, tools, materials, and vehicles used in the performance of a contractor's business. (Ord. 1812 §1(part), 1986).

17.06.0610 County CEQA guidelines. "County CEQA guidelines" means the adopted local procedures and guidelines for implementation of the California Environmental Quality Act (CEQA) in Calaveras County. (Ord. 1812 §1(part), 1986).

17.06.0620 County clerk. "County clerk" means the elected official serving as the official clerk and recorder of the county. (Ord. 1812 §1(part), 1986).

17.06.0630 County code. "County code" means the codified listing of county ordinances. References to "provisions of this title" mean Title 17 of the code. References to a title and chapter are shown as Chapter 16.04 (Title 16, Chapter 4). References to a title, chapter, section are shown as Section 17.32.350 (Title 17, Chapter 32, Section 350). (Ord. 1812 §1(part), 1986).

17.06.0635 Crematory, funeral and internment services. Establishments primarily engaged in the provision of services involving the care, preparation or disposition of human remains other than in cemeteries. Typical uses include crematories, columbariums, mausoleums or mortuaries. (Ord. 2614 §3 Exh. A(part), 2000).

17.06.0640 Customer area. "Customer area" means that portion of a structure that is used for the purposes of transacting business, purchasing, or selling products or services, and does not include any portion of the structure used for warehousing or storage which are inaccessible to public use. (Ord. 1812 §1(part), 1986).

17.06.0650 Day care center, family day care home. A. "Day care center" means a land use to which children of school age are taken for care and educational experience while parents are unavailable to watch the children for periods of less than eighteen hours.

B. "Family day care home" means a day care center in the home of the person operating the facility, and providing care for no more than twelve children, including children who are members of the provider's family. (Ord. 1812 §1(part), 1986).

17.06.0660 Dead storage. "Dead storage" means the keeping of a recreation vehicle, travel trailer, trailer or mobile home so that it is not connected to any utilities, and cannot be and is not inhabited. (Ord. 2345 §3 Exh. A(part), 1993: Ord. 1812 §1(part), 1986).

17.06.0670 Density. "Density" means either of the following:

A. For residential use, it means the number of dwelling units per acre, acres per dwelling unit, or square feet per dwelling unit.

B. For commercial uses, it means the percentage of lot coverage. (Ord. 1812 §1(part), 1986).

17.06.0680 Density transfer. "Density transfer" means the exchanging of permitted density within a proposed subdivision so that the number of parcels of lots created are equal to the number permitted by the general plan, but individual lots or parcels are potentially smaller than the minimum parcel size designation. (Ord. 1812 §1(part), 1986).

17.06.0710 Director of environmental health. "Director of environmental health" means the head of the environmental health department working under the supervision of the health officer. (Ord. 1812 §1(part), 1986).

17.06.0720 Director of public works. "Director of public works" means the head of the public works department, who also serves as county surveyor and road commissioner. (Ord. 1812 §1(part), 1986).

17.06.0730 Duplex. "Duplex" means a dwelling unit that consists of two independent units that are attached. (Ord. 1812 §1(part), 1986).

17.06.0740 Dwelling. "Dwelling" means any building or portion thereof which contains not more than two dwelling units.

A. "Dwelling, single-family" means any building or portion thereof which contains one dwelling unit.

B. "Dwelling, two-family" (or duplex) means any building or portion thereof which contains two dwelling units. (Ord. 1812 §1(part), 1986).

17.06.0750 Dwelling unit. "Dwelling unit" means a single dwelling for habitation by an individual or family. (Ord. 1812 §1(part), 1986).

17.06.0760 Easement. "Easement" means any legal right defined as an easement in the California Code of Civil Procedure, Section 800 et seq. Generally, an easement is a right to the use of another's land. (Ord. 1812 §1(part), 1986).

17.06.0770 Electronic component assembly. "Electronic component assembly" means an industrial use in which the manufactured goods are assembled from components manufactured elsewhere. (Ord. 1812 §1(part), 1986).

17.06.0780 Electronic component manufacturing. "Electronic component manufacturing" means an industrial use in which components for use in electronic equipment are manufactured from raw materials. (Ord. 1812 §1(part), 1986).

17.06.0790 Factory-built housing. "Factory-built housing" means a modular dwelling unit constructed to the standards of the Uniform Building Code at a site other than the location upon which it is to be installed. A factory-built home must meet all building code and energy code (Title XXIV) requirements. (Ord. 1812 §1(part), 1986).

17.06.0800 Family. "Family" means a group of individuals with a common bond by means of blood, marriage or conscientiously established relations, living together as a

housekeeping unit sharing a dwelling unit. Clients of a group home subject to Health and Safety Code Section 1501 are not deemed a family for purposes of this title. (Ord. 1812 §1(part), 1986).

17.06.0810 Feed lot. "Feed lot" means a livestock feed lot or feed yard having an average per acre of land area of more than five head of beef cattle, sheep and/or hogs at one time during the calendar year, which are being fed for slaughter. (Ord. 1812 §1(part), 1986).

17.06.0815 Feed store. Business establishments offering primarily feed, grain, hay and supplies for animal husbandry activities. Inventory may be stored outside if adequately screened or shielded from view and does not pose a health hazard as a place for vermin and mosquitoes and complies with the requirements of the fire marshall. (Ord. 2614 §3 Exh. A(part), 2000).

17.06.0820 Fence, wall. "Fence" or "wall" means a structure constructed of posts, supports and cross-members that serves as an obstruction to mark property lines or delineate or restrict access to a portion of property. (Ord. 1812 §1(part), 1986).

17.06.0825 Flea market, yard sale, garage sale, barn sale. "Flea market" means an interim or temporary land use in which a series of booths, tables, or other temporary display areas are set up in which an individual, persons, vendors, group, organization, or business, establish a retail trade. A commercial flea market may offer both new and used merchandise.

A. "Yard sale," "garage sale" or "barn sale" each means a noncommercial flea market that is established for an individual or group of fewer than twelve individuals to sell used merchandise or belongings.

B. A flea market involving twelve or more families is considered a commercial flea market and a retail business, unless it is sponsored by, and all proceeds go to, a non-profit organization. (Ord. 1903 §4, 1987).

17.06.0830 Floodplain. "Floodplain" means an area subject to inundation, slow surface drainage, or standing water generated by surface runoff, or overflowing bodies of water. (Ord. 1812 §1(part), 1986).

17.06.0840 Fur-bearing animal production. "Fur-bearing animal production" means the keeping or raising of more than five adult fur-bearing animals for purposes of breeding, providing the stock for sale as food, or as pelts. Such use shall require a use permit where not listed as a permitted use. (Ord. 1812 §1(part), 1986).

17.06.0850 Garage. "Garage" means a structure intended for use for storage of vehicles and other items. There is no limit to the size or number of door openings. (Ord. 2576 §1, 1999: Ord. 1903 §5, 1987: Ord. 1812 §1(part), 1986).

17.06.0860 Garden shop. "Garden shop" means a business which provides goods and products for use in a home or commercial garden. (Ord. 1812 §1(part), 1986).

17.06.0870 General plan. "General plan" means the Calaveras County General Plan as revised in April, 1982, September, 1985, and as subsequently amended, including all of its elements, community, special, and specific plans. (Ord. 1812 §1(part), 1986).

17.06.0880 General vicinity, proximity. "General vicinity" or "proximity" means the parcels of land surrounding or near a subject property which have the potential to be affected by the proposed land use or land usage of the subject property. General vicinity or proximity cannot be defined by a specific distance or direction in that one type of land use may impact a greater area than another type of land use. (Ord. 1812 §1(part), 1986).

17.06.0890 Government Code. "Government Code" means the California Government Code. (Ord. 1812 §1(part), 1986).

17.06.0900 Greenhouse. "Greenhouse" means a structure, generally constructed with translucent or clear walls and roof, used for the purposes of growing plants in a controlled environment. (Ord. 1812 §1(part), 1986).

17.06.0910 Gross floor area. "Gross floor area" means the total square footage of a structure as measured around the exterior perimeter walls. (Ord. 1812 §1(part), 1986).

17.06.0920 Group care home. "Group care home" means a facility licensed by the state pursuant to Health and Safety Code Section 1501 et seq. (Ord. 1812 §1(part), 1986).

17.06.0925 Gunshop/gunsmith. Business establishments offering primarily retail and/or wholesale firearms and ammunition sales and repair as the major source of revenue. (Ord. 2614 §3 Exh. A(part), 2000).

17.06.0930 HUD standard manufactured housing. "HUD standard manufactured housing" means a mobile home built after June 15, 1976, to the standards of the Department of Housing and Urban Development. The term "mobile home" is synonymous with HUD standard manufactured housing. The term "manufactured home" is synonymous with HUD standard manufactured housing. (Ord. 1812 §1(part), 1986).

17.06.0940 Hazard to air navigation. "Hazard to air navigation" means an obstruction determined to have a substantial adverse effect on the safe and efficient utilization of navigable air space. (Ord. 1812 §1(part), 1986).

17.06.0943 Hazardous waste. "Hazardous waste" shall be defined as set forth in Health and Safety Code Section 25117. (Ord 2126 §1(part), 1990).

17.06.0946 Hazardous waste facility. "Hazardous waste facility" shall be as set forth in Health and Safety Code Section 25117.1. (Ord. 2126 §1(part), 1990).

17.06.0950 Health and Safety Code. "Health and Safety Code" means the California Health and Safety Code, also written "H&S." (Ord. 1812 §1(part), 1986).

17.06.0960 Health officer. "Health officer" means the head of the county health department. (Ord. 1812 §1(part), 1986).

17.06.0970 Height. "Height" means the vertical distance from the average base elevation to the highest point on the structure, excluding chimneys, antennae and similar nonstructural elements. Average base elevation is determined by taking the elevation of the lowest point at the ground, and the elevation of the highest point at the ground, and finding the average. This definition is not to preclude applicable usage of the definition in the Uniform Building Code. (Ord. 1812 §1(part), 1986).

17.06.0980 Highway. "Highway" means a state route as shown in the general plan. (Ord. 1812 §1(part), 1986).

17.06.0990 Historic area, building. "Historic area" means a place, location, designated district or group of structures or places which individually or collectively have played a role in Calaveras County history. (Ord. 1812 §1(part), 1986).

17.06.1000 Hospital. "Hospital" means a land use in which intensive and general medical care is provided for

patients on an emergency, inpatient and outpatient basis.
(Ord. 1812 §1(part), 1986).

17.06.1010 Hotel. "Hotel" means a land use in which there are six or more rooms for transient occupancy. "Motel" and "hotel" are synonymous. (Ord. 1903 §6(part), 1987: Ord. 1812 §1(part), 1986).

17.06.1020 Industry. "Industry" means the manufacture, fabrication, processing, reduction or assembly of any article, substance or commodity which results in a new product from the original materials. (Ord. 1812 §1(part), 1986).

17.06.1030 Junk. "Junk" means, and is not limited to, trash, refuse, paper, glass, cans, bottles, rags, ashes, trimming from lawns, yards, trees, and shrubbery, including plants and leaves, and other solid waste or salvageable materials other than garbage; inoperable appliances, parts, tools; inoperable and unregistered vehicles, vehicle parts, vehicle hulks; discarded furniture; dirt, rocks, and materials from the demolition, alteration or construction of buildings or structures, unless such dirt, rocks, or other materials from demolition, alteration or construction are being used for purposes of fill. (Ord. 1812 §1(part), 1986).

17.06.1040 Junkyard. "Junkyard" means a place in which junk (as defined in Section 17.06.1030), salvaged materials or products, scrap or other waste materials are stored, broken up, dismantled, sorted, distributed or sold privately or commercially. (Ord. 1812 §1(part), 1986).

17.06.1050 Kennel, commercial. "Commercial kennel" means a land use where animals intended for domestic pets are bred, raised, trained or boarded. If a commercial kennel is permitted as a land use associated with a residence, it means that the owner of the kennel shall be the resident of the on-site dwelling. (Ord. 1812 §1(part), 1986).

17.06.1060 Kennel, private. "Private kennel" means an accessory use associated with a single-family residence for which a permit has been obtained from the department of animal control of the county, and where the animals maintained are for personal use and pleasure of the private kennel owners. Litters shall be limited to a cumulative total among all animals of no more than two per year, and the kennel shall not be the cause of repeated and legitimate complaints concerning noise, odor, trespass or vectors. No boarding of animals not owned by the permittee shall be permitted. (Ord. 1812 §1(part), 1986).

17.06.1070 Kit-constructed structure. "Kit-constructed structure" means a structure built to the standards of the Uniform Building Code which is partially assembled, or pre-cut to standards, at a site other than the site on which it is to be permanently constructed. (Ord. 1812 §1(part), 1986).

17.06.1080 Labor camp. A. "Labor camp" means a facility consisting of dwelling units for use of employees, contract employees or other persons working for or performing services for a person, business or other function.

B. "Temporary labor camp" means a labor camp established for less than twelve calendar months and dismantled at that location or on that parcel;

C. "Seasonal labor camp" means a labor camp that is used for periods of less than six months out of twelve, but is used at least three years out of five;

D. "Permanent labor camp" means a labor camp that is used for periods of more than six months at a time and for more than five calendar years. (Ord. 1812 §1(part), 1986).

17.06.1090 Landfill. "Landfill" means a parcel of land that is used for the storage of solid waste. Landfill classifications are determined by the Central Valley Regional Water Quality Control Board. In general terms, a Class I landfill is for toxic and hazardous waste; Class II for municipal solid waste, designated waste, and certain commercial and industrial waste; Class III is unclassified nonhazardous waste, such as building materials. (Ord. 1812 §1(part), 1986).

17.06.1100 Landscaping. "Landscaping" means the replacement of developed or excavated areas of a parcel with introduced new vegetation, groundcover, shrubbery or trees. (Ord. 1812 §1(part), 1986).

17.06.1110 Legal description. "Legal description" means the terminology, words, mapping or language contained on a deed or other document describing the location of a parcel of land or location of an easement. (Ord. 1812 §1(part), 1986).

17.06.1120 Livestock. "Livestock" means domestic farm animals such as cattle, sheep, swine, horses, goats, donkeys, mules, burros, rabbits, poultry (including all domesticated fowl and wild birds reduced to captivity), and exotic animals such as American bison, llamas, and similar animals, being raised under conditions similar to other domestic farm animals. (Ord. 1872 §2(part), 1987: Ord. 1812 §1(part), 1986).

17.06.1130 Logging camp. "Logging camp" means a labor camp established for employees, contract employees, or others performing labor or services during a timber operation. (Ord. 1812 §1(part), 1986).

17.06.1140 Lot. "Lot" means a legally established parcel of land mapped or otherwise described. (Ord. 1812 §1(part), 1986).

17.06.1150 Lot coverage. "Lot coverage" means the percent of lot area overcovered by a building footprint. (Ord. 1812 §1(part), 1986).

17.06.1160 Lot depth. "Lot depth" means the distance from the property line fronting a road or road easement to the rear or opposite property line. (Ord. 1812 §1(part), 1986).

17.06.1170 Lot width. "Lot width" means the distance from one side property line to the other side property line. (Ord. 1812 §1(part), 1986).

17.06.1180 Lumbervard, building materials, retail or wholesale. "Lumbervard, building materials, retail or wholesale" means a business with a primary product of selling or assembling materials used in construction. The use includes hardware, lumber, paneling, masonry products in conjunction with wood-related products where wood products are the primary business, assembly of trusses or wood girders, or wood supports, assembly and sales of doors and trim, paneling, insulation, or sheet rock. "Wholesale" are those businesses that sell only to licensed contractors, "retail" is all other businesses within this category. A cabinet shop is not a lumbervard, but is classified as an industry. (Ord. 1812 §1(part), 1986).

17.06.1190 Machinery sales. "Machinery sales" means the sales of capital equipment used in manufacturing, agriculture production, commercial timber harvesting, or industry. (Ord. 1812 §1(part), 1986).

17.06.1200 Manufacturing. "Manufacturing" means the production of a product by hand or machine. (Ord. 1812 §1(part), 1986).

17.06.1210 Masonry product sales. "Masonry product sales" means the manufacturing or sales or distribution of products composed primarily of masonry materials. (Ord. 1812 §1(part), 1986).

17.06.1220 Medical offices. "Medical offices" means an office or group of offices which are used for medical or health-related practices. (Ord. 1812 §1(part), 1986).

17.06.1230 Medical practice. "Medical practice" means a business, service or other health-related function performed by a suitably qualified person or firm. (Ord. 1812 §1(part), 1986).

17.06.1240 Mineral extraction and production. "Mineral extraction" means the land use of recovering or removing mineral resources from the earth. "Mineral resource production" means the accessory uses, facilities or services involved in mineral extraction as permitted by the mining permit. (Ord. 1812 §1(part), 1986).

17.06.1250 Mining waste. "Mining waste" means the residual soil, rock, overburden, waste, liquid, vegetation and property resulting from a mineral extraction and production land use. (Ord. 1812 §1(part), 1986).

17.06.1260 Ministorage warehousing. "Ministorage warehousing" or "ministorage" means a land use which primarily consists of multiple warehouses leased for use by individuals or businesses for purposes of storage of goods and materials. (Ord. 1812 §1(part), 1986).

17.06.1270 Mobile home. "Mobile home" means HUD standard manufactured housing, or a nonpermanent shelter, as defined in the Vehicle Code, that is more than eight feet wide and forty feet long. A single-wide mobile home is a maximum of fourteen feet wide. (Ord. 1812 §1(part), 1986).

17.06.1280 Mobile home park. "Mobile home park" means a land use in which an individual property owner or company holds title to land which is leased for periods of more than fourteen days of use for residency in mobile homes not placed on permanent foundations. (Ord. 1812 §1(part), 1986).

17.06.1290 Modular house. "Modular house" means a house built in components to the standards of the Uniform Building Code at a location other than the site upon which the house is delivered and installed. (Ord. 1812 §1(part), 1986).

17.06.1300 Motel. "Motel" means a land use in which there are six or more rooms for transient occupancy. "Motel" and "hotel" are synonymous. (Ord. 1903 §6(part), 1987: Ord. 1812 §1(part), 1986).

17.06.1310 Multiple-family residential. "Multiple-family residential" means a group of attached dwelling units (three or more) within one structure. (Ord. 1812 §1(part), 1986).

17.06.1320 Nonconforming building or use. A. "Nonconforming building" means a structure that does not conform to present regulations.

B. "Nonconforming use" means a land use which does not conform to present regulations.

C. "Legally existing" means a use that predates present regulations, but was legally constructed or established at the time the use or construction first commenced. (Ord. 1812 §1(part), 1986).

17.06.1330 Nursery. "Nursery" means a business which is primarily engaged in the raising, propagation, growth or sales of landscape vegetation and garden plants and supplies. (Ord. 1812 §1(part), 1986).

17.06.1340 Obstruction. "Obstruction" means any structure, growth or other object, including a mobile object, which exceeds a limiting height set for objects in a runway visual approach zone, transitional zone, horizontal zone, conical zone, or any other airport zone which limits height. (Ord. 1812 §1(part), 1986).

17.06.1350 Occupancy. "Occupancy" means the establishment of a use within a structure or upon a parcel of land, including and not limited to, installing display fixtures in a completed structure, stocking of inventory, or commencing temporary or permanent residency, whether or not a structure has been subject to an approved final inspection or a certificate of occupancy. (Ord. 1812 §1(part), 1986).

17.06.1360 Off-site. "Off-site" means an improvement or other reference concerning a proposed project or subject property which is not located on the parcel under discussion. (Ord. 1812 §1(part), 1986).

17.06.1365 Off-site facility. "Off-site facility" means a hazardous waste facility that is not an on-site facility, and may serve more than one producer of hazardous waste. (Ord. 2126 §1(part), 1990).

17.06.1370 On-site. "On-site" means an improvement or other reference concerning the subject property under discussion. (Ord. 1812 §1(part), 1986).

17.06.1375 On-site facility. "On-site facility" means a hazardous waste facility at which a hazardous waste is produced and which is owned by, leased to, under the control of, the producer of the waste and which accepts only waste generated on-site. (Ord. 2126 §1(part), 1990).

17.06.1380 Overburden. "Overburden" means the materials removed from the earth that are between the commencement of mineral extraction operations and the location of the minerals to be extracted. (Ord. 1812 §1(part), 1986).

17.06.1390 Packaging of materials. "Packaging of materials" means placing or repacking of processed, manufactured or assembled materials, including raw materials, for transfer from one container to another container for resale. (Ord. 1812 §1(part), 1986).

17.06.1400 Parcel, lot. "Parcel" or "lot" means a described area of land within an ownership. Parcel may also mean a parcel established for tax purposes, sometimes called an "assessor parcel." (Ord. 1812 §1(part), 1986).

17.06.1410 Park, playground. "Park" or "playground" means a land use which is established for the purposes of providing passive or active recreation on a public or private basis. (Ord. 1812 §1(part), 1986).

17.06.1420 Parking area. "Parking area" means the portion of a parcel which is developed for the storage of customer vehicles while the occupants of the vehicles are using the on-site facilities. (Ord. 1812 §1(part), 1986).

17.06.1430 Permit. "Permit" means a property development approval issued by the county. Permits include variances, use permits, design review permits, planned development permits, mining permits, reclamation plans, encroachment permits, septic system permits or building permits, as well as any other development permits issued by the county. (Ord. 1812 §1(part), 1986).

17.06.1440 Personal service. "Personal service" means a business which is based on one individual performing a service for other individuals for a fee or other consideration. (Ord. 1812 §1(part), 1986).

17.06.1450 Petrochemical storage. "Petrochemical storage" means the placement of petroleum-based raw materials, products or byproducts in storage containers for use, processing, sale, recycling or disposal. (Ord. 1812 §1(part), 1986).

17.06.1460 Picnic area. "Picnic area" means a facility rest stop or parcel which is established for use by persons eating a meal prepared elsewhere, or passive or active recreation. No picnic area may be occupied overnight. (Ord. 1812 §1(part), 1986).

17.06.1470 Planned development. "Planned development" means one or more of the following:

A. A project which is to be constructed over a period of time exceeding one year (except for mineral extraction), or in phases;

B. A project that is located in an area in which historic, cultural or scenic values are of general importance, which results in the design of the project being considered by the county for a planned development permit.

C. A project in which parcel sizes are proposed to be smaller than the minimum parcel size permitted by this title, but the density of the general plan will not be exceeded. (Ord. 1812 §1(part), 1986).

17.06.1480 Planned unit development. "Planned unit development" means a subdivision generally consisting of parcel sizes smaller than those permitted under the terms of this title, in which the parcel owner owns both the structure and the land under the structure, and is a member of a property owner association holding title to common area. (Ord. 1812 §1(part), 1986).

17.06.1490 Planning commission. "Planning commission" means the seven-member body appointed by the board of supervisors to review planning permit requests pursuant to the county code. (Ord. 1812 §1(part), 1986).

17.06.1500 Planning department. "Planning department" means the county-appointed staff to the planning agency (the

board of supervisors and its appointed committees and commissions). (Ord. 1812 §1(part), 1986).

17.06.1510 Planning director. "Planning director" means the appointed head of the planning department. (Ord. 1812 §1(part), 1986).

17.06.1520 Professional office. "Professional office" means a land use which consists of offices providing legal, administrative or technical services to clients. (Ord. 1812 §1(part), 1986).

17.06.1530 Property owner association. "Property owner association" means an association, corporation, partnership or other organization consisting of persons owning real property in an area which is formed for the common goal of providing a service, representation or management of common area, common facilities, roads, or other interests of the group. (Ord. 1812 §1(part), 1986).

17.06.1540 Public agency. "Public agency" means a political subdivision, federal, state or local government or its departments, or governmental jurisdictions or districts. (Ord. 1812 §1(part), 1986).

17.06.1550 Public area. "Public area" means that portion of a place of assembly, church, theater, or community center that is used by members of the public during activities at the structure. It excludes public restrooms, private offices, storage areas, and the permanent stage area or pulpit. Square footage of a public area shall be determined by the final building plans approved by the chief building official, and confirmed by final building inspection. (Ord. 1812 §1(part), 1986).

17.06.1560 Public Resources Code. "Public Resources Code" means the California Public Resources Code, also written "PRC." (Ord. 1812 §1(part), 1986).

17.06.1570 Public services. "Public services" means the types of services needed for development of a parcel of land. This may include, and is not limited to, electricity, access, water, sewage disposal, and telecommunications. (Ord. 1812 §1(part), 1986).

17.06.1580 Public utility. "Public utility" means a public or private business which provides a general service to the public, such as electricity, water, telecommunications, or other services. (Ord. 1812 §1(part), 1986).

17.06.1590 Ready mix (or Redi-mix). "Ready mix" or "Redi-mix" means the mixing or batching of raw materials

into concrete for delivery to job sites. (Ord. 1812 §1 (part), 1986).

17.06.1600 Reclamation. "Reclamation" means the reversion of a developed parcel to safe and usable state. Primarily, reclamation is associated with the post-mineral-extraction activities of returning the parcel to a condition or appearance so that the prior appearance of mining activities are reduced to a reasonable level, and other uses may be safely conducted.

A. "Reclamation plan" is the application proposing a systematic, continuing and phased reclamation of a parcel.

B. "Reclamation permit" is the county approval for a reclamation plan. (Ord. 1812 §1(part), 1986).

17.06.1610 Recreation. A. "Recreation" means any form of play, amusement, or games.

B. "Recreationally oriented commercial" means a use as described in the community development element of the general plan as a recreationally oriented commercial use, either direct or indirect. (Ord. 1812 §1(part), 1986).

17.06.1620 Recreation center. "Recreation center" means a facility within a common area for use of project residents or property owners. (Ord. 1812 §1(part), 1986).

17.06.1630 Recreation vehicle. "Recreation vehicle" means a portable unit of three hundred twenty square feet or less, designed for human occupancy. A recreation vehicle or "RV" includes a motorhome, boat, fifth-wheeler, travel trailer, truck camper, camper shell, camping trailer, tent trailer, snowmobile, boat, houseboat, patio boat, canoe, skiff, rowboat, or other such motorized or nonmotorized vehicle. (Ord. 1812 §1(part), 1986).

17.06.1640 Recreation vehicle storage. "Recreation vehicle storage" means a land use in which recreation vehicles are garaged either within a building or an open enclosure. Recreation vehicle storage is a commercial activity where the storage of such vehicles is transacted by payment of a rental fee or by other agreement with the proprietor or property owner. (Ord. 1812 §1(part), 1986).

17.06.1650 Rental equipment agency. "Rental equipment agency" means a business which is primarily engaged in providing tools, appliances, housewares or other general household materials on a rental basis. (Ord. 1812 §1(part), 1986).

17.06.1660 Residential equivalent unit. "Residential equivalent unit" means a comparison which uses the intensity

of a single-family residence as the base for data. (Ord. 1812 §1(part), 1986).

17.06.1670 Residential occupation. "Residential occupation" means a business which is conducted in a residence pursuant to Section 17.68.020. (Ord. 1812 §1(part), 1986).

17.06.1680 Restaurant. "Restaurant" means a business which is established for the purpose of providing ready-to-eat meals either on or off the premises. (Ord. 1812 §1(part), 1986).

17.06.1690 Retail sales. "Retail sales" means to sell products to the general consuming public. (Ord. 1812 §1(part), 1986).

17.06.1695 Retreat. "Retreat" means a facility used by an organization for purposes of employee or member transient occupancy. A retreat may provide overnight accommodations, meal facilities, facilities for worship, study, or education for use of the organization's membership and guests. (Ord. 1872 §1(part), 1987).

17.06.1700 Right-of-way. "Right-of-way" means the exterior boundary of a corridor which is generally owned by the county or state for purposes of placing a road on the land. A right-of-way is usually not part of the lands it adjoins. A right-of-way may also be owned by a private entity such as a railroad or utility. (Ord. 1812 §1(part), 1986).

17.06.1710 Road. "Road" means a principal means of access to and from parcels of land within the county. (Ord. 1812 §1(part), 1986).

17.06.1720 Rural home business. "Rural home business" means a business located in a home that is subservient to the use of the dwelling as a residence, and meets the requirements of Section 17.68.030. (Ord. 1812 §1(part), 1986).

17.06.1730 Rural home industry. "Rural home industry" means a small-scale manufacturing business located on the same parcel of land that the proprietor's residence is located for which a use permit has been obtained pursuant to Chapter 17.38. (Ord. 1812 §1(part), 1986).

17.06.1740 Rural home medical clinic. "Rural home medical clinic" means a medical practice which is conducted on the property that is the practitioner's permanent county

residence, and operated pursuant to Section 17.68.040.
(Ord. 1812 §1(part), 1986).

17.06.1750 Rural veterinarian clinic. "Rural veterinarian clinic" means a veterinarian practice operated from the property on which the veterinarian resides, pursuant to Section 17.68.050. (Ord. 1812 §1(part), 1986).

17.06.1760 Scenic highway. "Scenic highway" means a road identified in the scenic highway element of the general plan. (Ord. 1812 §1(part), 1986).

17.06.1770 School. "School" means an institution, public or private, established for the purposes of educating a class of students at any grade level, either for profit or nonprofit purposes. (Ord. 1812 §1(part), 1986).

17.06.1780 Sectional house. "Sectional house" means a residence constructed to the standards of the Uniform Building Code in sections at a location other than the installation site, and then transported to the location for installation. (Ord. 1812 §1(part), 1986).

17.06.1785 Septage waste disposal facility. Any use of land for storage, treatment or disposal of septage waste. (Ord. 2614 §3 Exh. A(part), 2000).

17.06.1790 Service station. "Service station" means a business established for the purposes of selling motor vehicle fuels, lubricants, accessories, and providing service and maintenance for vehicles. (Ord. 1812 §1(part), 1986).

17.06.1795 Shopping center. "Shopping center" means a commercial center, or group of commercial establishments, planned, developed, managed and maintained as a unit, with common off-street parking provided to serve all uses on the property. (Ord. 2017 §3 Exh. A(part), 1989).

17.06.1800 Sign. "Sign" means any device capable of visual communications or attraction, including declarations, announcements, demonstrations, displays, insignias, trademarks or symbols, used for the purpose of informing, advertising or promoting any business, place or event. "Sign" includes the following:

A. Billboard, see Section 17.06.0360;

B. Directional sign, a sign promoting a visitor-oriented commercial use, attraction, or place, pursuant to Section 17.64.110;

- C. Off-site sign, means billboard;
- D. On-site sign, a sign promoting a business, product or service located on the same property that the sign is located upon;
- E. Subdivision sign, a sign promoting the directions to or features of a subdivision pursuant to Section 17.72-.090;
- F. Temporary sign, a sign not meeting the requirements of a permanent sign, and included in the requirements of Section 17.72.130. (Ord. 1812 §1(part), 1986).

17.06.1810 Special plan area, specific plan area. A. "Special plan area" means an adopted plan supplementing the general plan for an area with unique historic, scenic or community values in order to better represent the desires of residents and property owners.

B. "Specific plan area" means an area of the county for which a specific plan has been adopted pursuant to Title 7 Division 1 of the Government Code. (Ord. 1812 §1(part), 1986).

17.06.1820 Stable. A. "Stable" means a land use in which a building is set aside for the quartering of horses for breeding, training or riding.

B. "Private stable" means a stable that is used for and by the residents of the property, though breeding activities and training may be undertaken for horses not owned by the residents.

C. "Public stable" means a stable that leases space, horses, rents horses or space, and conducts lessons for members of the general public. (Ord. 1812 §1(part), 1986).

17.06.1830 Stand. "Stand" means a temporary or permanent structure which is established for the sales of seasonal items such as fruit and vegetables, fireworks, Christmas trees, or other such items. (Ord. 1812 §1(part), 1986).

17.06.1835 Storage facility. "Storage facility" shall be defined as set forth in Health and Safety Code Section 25123.3. (Ord. 2126 §1(part), 1990).

17.06.1840 Story. "Story" means the area between the floor surface and the underside of the ceiling or roof above. (Ord. 1812 §1(part), 1986).

17.06.1850 Structure. "Structure" means shelter, building, dwelling unit, or other physical development upon the land to house, protect, store or cover persons or things. (Ord. 1812 §1(part), 1986).

17.06.1855 Tavern. (See Bar at Section 17.06.0345).
(Ord. 2614 §3 Exh. A(part), 2000).

17.06.1860 Tent. "Tent" means a shelter or structure constructed from fabric materials, such as canvas or nylon, and used for temporary occupancy. (Ord. 1812 §1(part), 1986).

17.06.1870 Time-sharing land use. "Time-sharing land use" means a land use in which a purchaser receives a divided interest to the right in perpetuity, life, or for a term of years to the recurrent, exclusive use, occupancy of a lot, unit or segment of real property on some periodic basis of time that has been or will be allocated from the use or occupancy periods into which the project has been divided. (Ord. 1812 §1(part), 1986).

17.06.1880 Tire sales. "Tire sales" means a business which primarily derives its income from the sale of vehicle tires. (Ord. 1812 §1(part), 1986).

17.06.1890 Tire service and installation. "Tire service and installation" means a business which primarily derives its income from the service of tires and the installation of tires. (Ord. 1812 §1(part), 1986).

17.06.1900 Tire storage. "Tire storage" means a land use which is based on the placement of used tires on the property in quantities of fifty or more. (Ord. 1812 §1(part), 1986).

17.06.1905 Transfer facility. "Transfer facility" shall be defined as set forth in Health and Safety Code Section 25123.3, except that a facility which is also a treatment, storage or disposal facility shall not be considered a transfer facility. (Ord. 2126 §1(part), 1990).

17.06.1910 Transient occupancy. "Transient occupancy" means paying guests occupying a dwelling unit for periods of less than thirty days. (Ord. 1812 §1(part), 1986).

17.06.1915 Treatment facility. "Treatment facility" is a hazardous waste facility used for the treatment of hazardous waste, as defined in Health and Safety Code Section 25123.5. (Ord. 2126 §1(part), 1990).

17.06.1920 Truck terminal. "Truck terminal" means a land use to which motor freight is transhipped for local or regional delivery. (Ord. 1812 §1(part), 1986).

17.06.1925 TSDF. "TSDF" means a facility for treatment storage, or disposal of hazardous waste. (Ord. 2126 §1(part), 1990).

17.06.1930 Use. "Use" means the activity that takes place on a parcel of land. Table A at the end of this title presents a summary of permitted and conditional uses in the various zoning districts. When using the table refer to the specific text of the specific zoning district. (Ord. 2614 §3 Exh. A(part), 2000: Ord. 1812 §1(part), 1986).

17.06.1940 Variance. "Variance" means an approval granted by the county to alleviate a development hardship caused by the requirements of this title pursuant to Chapter 17.68. (Ord. 1812 §1(part), 1986).

17.06.1950 Vehicle Code. "Vehicle Code" means the California Vehicle Code, also written "VC." (Ord. 1812 §1(part), 1986).

17.06.1960 Video equipment. "Video equipment" means television sets, video tape recorders, video cameras, disc players, video tape (blank and prerecorded) and other video-related accessories. (Ord. 1812 §1(part), 1986).

17.06.1970 Video game arcade. "Video game arcade" means a business which derives its principal income from customers playing video games of skill, chance or amusement. Pinball machines are included in this category. (Ord. 1812 §1(part), 1986).

17.06.1980 Visual clearance. "Visual clearance" means a setback from the intersection of a road, driveway or other access with another road, driveway or access, in which objects or structures may not be constructed if such block or inhibit sight distance. The distance indicated as the visual clearance is the linear distance in feet commencing at the point where the two roads meet, going to both the left and right on the main road, and from the main road back on the driveway or road that intersects the main road. The setback forms a triangle from the intersection. (Ord. 1812 §1(part), 1986).

17.06.1990 Warehouse. "Warehouse" means a land use which is established for the purposes of storing goods and materials for a business, company or corporation as a place to keep inventory, parts or materials. (Ord. 1812 §1(part), 1986).

17.06.2000 Wholesale. "Wholesale" means the sales, distribution or jobbing of products which are resold by other businesses. (Ord. 1812 §1(part), 1986).

17.06.2010 Winery, wine-tasting room. A. "Winery" means an agribusiness in which the product is wine, brandy or other wine products.

B. "Wine-tasting room" means a use in which members of the general public, customers or guests may go to a winery or vineyard for purposes of tasting or purchasing produce and wine cultivated or produced on the same property or contiguous ownership. Products for sale are limited to wine bottled at the tasting room site. (Ord. 1812 §1(part), 1986).

17.06.2015 Wood chipping and mulching. The process of grinding vegetation by the use of machinery at a permanent location which operate at high speed and generate noise. Use of the end product may be for agricultural application, soil amendments, fuel for co-generation plants, or for habitat preservation or slope stabilization. (Ord. 2614 §3 Exh. A(part), 2000)

17.06.2020 Woodyard. "Woodyard" means a land use which is based on the storage of wood for seasoning, splitting, cutting or bucking as firewood for sale or resale. (Ord. 1812 §1(part), 1986).

17.06.2030 Yard. "Yard" means the area between a property line and structure on residential lots. (Ord. 1812 §1(part), 1986).

Chapter 17.08ZONES ESTABLISHED*Sections:

- 17.08.010 Terms.
- 17.08.020 Base zoning districts.
- 17.08.030 Combining districts.
- 17.08.040 Performance standards.

17.08.010 Terms. For the purposes of this title, the terms "zones," "zoning districts" and "districts" shall be synonymous. (Ord. 1812 §1(part), 1986).

17.08.020 Base zoning districts. There are established in the unincorporated portions of the county the following base zoning districts:

A. Interim Zones.

- 17.10 Unclassified (U)
- 17.11 Highway Service (HS)

B. Resource Production Zones.

- 17.12 General Forest (GF)
- 17.14 Timber Protection (TP)
- 17.16 General Agriculture (A1)
- 17.18 Agriculture Preserve (AP)
- 17.20 Residential Agriculture (RA)

C. Residential Zones.

- 17.22 Rural Residential (RR)
- 17.24 Single-family Residential (R1)
- 17.26 Two-family Residential (R2)
- 17.28 Multiple-family Residential (R3)

D. Commercial and Economic Zones.

- 17.30 Rural Commercial (RC)
- 17.32 Rural Home Industry (RM)

* Prior ordinance history: Chapter 17.08 was revised by Ord. 1812. Provisions of Chapter 17.08 were formerly codified at Chapter 17.08 deriving from Ords. 945 and 1810.

- 17.34 Local Commercial(C1)
- 17.36 General Commercial(C2)
- 17.38 Professional Offices(CP)
- 17.40 Light Industrial(M1)
- 17.42 General Industrial(M2)
- 17.44 Business Park(M4)
- 17.46 Recreation (REC)
- 17.48 Public Service(PS)

(Ord. 1812 §1(part), 1986).

17.08.030 Combining districts. There are established in the unincorporated portion of the county the following combining districts:

- 17.50 Planned Development(PD)
- 17.52 Design Review(DR)
- 17.54 Mobile Home (MH)
- 17.56 Mining Operation(ME)
- 17.58 Environmental Protection(EP)
- 17.60 Airport Approach(AAX)
- 17.62 Airport Height Limitation(HL)

(Ord. 1812 §1(part), 1986).

17.08.040 Performance standards. There are established in the unincorporated portion of the county the following performance standards for all zoning districts:

- 17.64 Development agreements.
- 17.66 Accessory dwellings.
- 17.68 Businesses in the home.
- 17.70 Parking.
- 17.72 Signs.
- 17.74 Roads.

(Ord. 1812 §1(part), 1986).

SUBTITLE II. BASE ZONING DISTRICTS

ARTICLE 1. INTERIM ZONES

Chapters:

- 17.10 Unclassified (U) Zone
- 17.11 Highway Service (HS) Zone

Chapter 17.10UNCLASSIFIED (U) ZONE*Sections:

- 17.10.010 Purpose.
- 17.10.020 Permitted uses.
- 17.10.040 Temporary uses.
- 17.10.050 Accessory uses.
- 17.10.060 Performance standards.
- 17.10.070 Site development standards.

17.10.010 Purpose. The U zone is intended to apply to lands until more precise zoning is adopted. Any projects for which a use permit or subdivision approval is required shall be accompanied by an application for rezoning from the U to a specific zone. The density of the general plan shall apply to all parcels in the U zone. (Ord. 1807 §1(part), 1986).

17.10.020 Permitted uses. The following uses are permitted in the U zone:

- A. Accepted farming practices;
- B. Accepted timber practices on parcels of twenty acres or more;
- C. Accepted ranching practices on parcels of twenty acres or more;
- D. Single-family residence, one per permitted general plan density. (Ord. 2345 §3 Exh. A(part), 1993; Ord. 1807 §1(part), 1986).

17.10.040 Temporary uses. The following uses are permitted in the U zone on a temporary basis not to exceed twelve months, the duration of a building permit, or the provisions of this title, whichever is shortest:

- A. Continued use of an existing building during construction of a new building on the subject property;
- B. Temporary use of a mobile home in conformance with Section 17.04.130;
- C. Temporary storage of contractor's equipment during construction of new structures on-site. (Ord. 1807 §1(part), 1986).

* Prior ordinance history: Chapter 17.10 was renumbered by Ord. 1810. Provisions of Chapter 17.10 were formerly codified at Chapter 17.08, deriving from Ords. 945, 990, 1072, 1115, 1206, 1349, 1373, 1603 and 1624.

17.10.050 Accessory uses. The following accessory uses consistent with the definition in Section 17.06.0080 are permitted in the U zone:

- A. Residential garages and/or carports;
- B. Swimming pool located not closer than twenty feet to any property line or within the front setback;
- C. Fences, walls;
- D. Business in the home in conformance with Chapter 17.68:

- 1. Residential occupation,
- 2. Rural home business,
- 3. Rural home medical clinic on parcels of five acres or more, and accompanied with an application for a zone change,
- 4. Rural veterinarian clinic on parcels of five acres or more, and accompanied with an application for a zone change;
- E. Signs in conformance with Chapter 17.72;
- F. Usual and customary accessory structures and uses associated with a residence. (Ord. 2576 §2(part), 1999; Ord. 1807 §1(part), 1986).

17.10.060 Performance standards. In the U zone, the following performance standards shall apply in addition to any other standards in this title:

- A. New development shall comply with the standards of this title, and the standards applicable in the zone for which an application is submitted. (Ord. 1807 §1(part), 1986).

17.10.070 Site development standards. In the U zone, the following site development standards apply:

- A. Minimum parcel size:
 - 1. The parcel size permitted by the general plan shall apply;
- B. Maximum density:
 - 1. In the event no new parcel is being created, the maximum density shall be one dwelling per existing parcel size,
 - 2. In the event a new parcel or parcels are being created the maximum density shall be based on the general plan;
- C. Maximum lot coverage: thirty-five percent;
- D. Maximum building height: thirty-five feet;
- E. Lot width:
 - 1. Minimum: as established in the zone for which an application has been submitted,
 - 2. Average: as established in the zone for which an application has been submitted;

F. Lot depth:

1. Minimum: as established in the zone for which an application has been submitted,

2. Average: as established in the zone for which an application has been submitted;

G. Minimum building setbacks:

1. For purposes of this chapter the following shall apply:

a. Front, twenty feet from the property line, or fifty feet from the centerline of the road right-of-way or easement, whichever distance is greater,

b. Corner, or lots with multiple lot lines fronting roads, same distance as front for all property lines fronting road rights-of-way or easements,

c. Side, ten feet,

d. Rear, twenty feet,

e. Between buildings, ten feet, or the requirements of the local fire protection agency, whichever is greater,

f. Vision clearance: thirty-five feet,

2. In addition to the setbacks specified in subsection (G)(1) of this section, minimum building setbacks shall meet the requirements of Section 8.10.120 in order to achieve defensible space, which requires a thirty-foot setback from all property lines and/or center of the road for parcels one acre or larger, and same practical effect shall be provided for parcels less than one acre. Procedures for exceptions to these standards shall comply with Sections 8.10.150 and 8.10.190;

H. In the event of an application for a variance, an application for rezoning shall accompany the variance request. The variance request shall not be conditioned on zoning approval. (Ord. 2345 §3 Exh. A(part), 1993; Ord. 1807 §1(part), 1986).

Chapter 17.11

HIGHWAY SERVICE (HS) ZONE*

Sections:

17.11.010 Purpose.

17.11.020 Permitted uses.

* Prior ordinance history: Chapter 17.11 was renumbered by Ord. 1810. Provisions of Chapter 17.11 were formerly codified at Ch. 17.30 deriving from Ords. 945, 1115, 1461 and 1624.

Sections: (Continued)

- 17.11.040 Temporary uses.
- 17.11.050 Accessory uses.
- 17.11.060 Performance standards.
- 17.11.070 Site development standards.

17.11.010 Purpose. The purpose of the HS zone is to provide interim zoning for a parcel until it is reclassified into a zoning district consistent with the general plan. (Ord. 1781 §1(part), 1986).

17.11.020 Permitted uses. The following uses are permitted in the HS zone:

- A. Single-family residence, one per permitted general plan density;
- B. Accepted farming practices;
- C. Accepted timber practices on parcels of twenty acres or more. (Ord. 2017 §3 Exh. A(part), 1989; Ord. 1872 §2(part), 1987; Ord. 1781 §1(part), 1986).

17.11.040 Temporary uses. The following uses are permitted in the HS zone on a temporary basis not to exceed twelve months, the duration of a building permit, or the provisions of this title, whichever is shortest:

- A. Continued use of an existing building during construction of a new building on the subject property;
- B. Temporary use of a mobile home in conformance with Section 17.04.130;
- C. Temporary storage of contractor's equipment during construction of new structures on-site. (Ord. 1781 §1(part), 1986).

17.11.050 Accessory uses. The following accessory uses consistent with the definition in Chapter 17.06 are permitted in the HS zone:

- A. Residential garages and/or carports;
- B. Swimming pool located not closer than ten feet to any property line or within the front setback;
- C. Fences, walls;
- D. Signs, in conformance with Chapter 17.72;
- E. Usual and customary accessory structures and uses associated with a residence. (Ord. 2576 §2(part), 1999; Ord. 1781 §1(part), 1986).

17.11.060 Performance standards. In the HS zone, the following performance standards shall apply in addition to any other standards in this title:

- A. Siting of structures and location of trees shall be undertaken with care to ensure that shadows do not block solar energy collection devices on adjoining parcels.

B. The performance standards of the zone for which an application has been submitted shall be satisfied, except that for single-family residences, the performance standards of the RR zone shall be satisfied. (Ord. 1781 §1(part), 1986).

17.11.070 Site development standards. In the HS zone, the following site development standards apply:

A. Minimum parcel size for new parcels: No new lots or parcels are permitted in the HS zone;

B. Maximum density:

1. With individual well and on-site sewage disposal system: one dwelling per permitted general plan density or five acres, whichever is the larger parcel size,

2. With public water and on-site sewage disposal system: one dwelling per permitted general plan density or one acre, whichever is the larger parcel size,

3. With public water and public sewage disposal: one dwelling per permitted general plan density or one acre, whichever is the larger parcel size;

C. Maximum lot coverage: thirty-five percent;

D. Maximum building height: thirty-five feet;

E. Lot width:

1. Average: No new lots or parcels are permitted in the HS zone,

2. At the road: No new lots or parcels are permitted in the HS zone;

F. Lot depth:

1. Average: No new lots or parcels are permitted in the HS zone;

2. Minimum: No new lots or parcels are permitted in the HS zone;

G. Minimum building setbacks:

1. For purposes of this chapter the following shall apply:

a. Front, thirty feet from the property line, or sixty feet from the centerline of the road right-of-way of easement, whichever distance is greater,

b. Corner, or lots with multiple lot lines fronting roads, same distance as front for all property lines fronting road rights-of-way or easements,

c. Side, ten feet,

d. Rear, twenty feet,

e. Between buildings, ten feet, or the requirements of the local fire protection agency, whichever is greater,

f. Vision clearance: thirty-five feet,

2. In addition to the setbacks specified in subsection (G)(1) of this section, minimum building setbacks shall meet the requirements of Section 8.10.120 in order to

achieve defensible space, which requires a thirty-foot setback from all property lines and/or center of the road for parcels one acre or larger, and same practical effect shall be provided for parcels less than one acre. Procedures for exceptions to these standards shall comply with Sections 8.10.150 and 8.10.190. (Ord. 2345 §3 Exh. A(part), 1993; Ord. 1781 §1(part), 1986).

ARTICLE 2. RESOURCE ZONES

Chapters:

- 17.12 General Forest (GF) Zone
- 17.14 Timber Production (TP) Zone
- 17.16 General Agriculture (A1) Zone
- 17.18 Agriculture Preserve (AP) Zone
- 17.20 Residential Agriculture (RA) Zone

Chapter 17.12

GENERAL FOREST (GF) ZONE*

Sections:

- 17.12.010 Purpose.
- 17.12.020 Permitted uses.
- 17.12.030 Conditional uses.
- 17.12.040 Temporary uses.
- 17.12.050 Accessory uses.
- 17.12.060 Performance standards.
- 17.12.070 Site development standards.

17.12.010 Purpose. The GF zone is intended to provide a resource production zone for commercial timber production and related uses. (Ord. 1807 §1(part), 1986).

17.12.020 Permitted uses. The following uses are permitted in the GF zone:

- A. Accepted timber practices;
- B. Commercial agriculture;
- C. Accepted farming practices;

* Prior ordinance history: Chapter 17.12 was renumbered by Ord. 1810. Provisions of Chapter 17.12 were formerly codified at Chapter 17.10 deriving from Ords. 945, 349, 1373, 1603 and 1624.

- D. Christmas tree farm and sales;
- E. A project under the auspices of the California Forest Improvement Program (CFIP), other state, federal or public forestation plan or project;
- F. Family day care home, small or large, pursuant to state licensing requirements;
- G. Fire station, ranger station, including visitor information center;
- H. Fish hatchery, wholesale, retail fish farm;
- I. Group care home of six or fewer clients pursuant to California Health and Safety Code Section 1501, subject to review for over concentration pursuant to H&S Section 1520.5;
- J. Lumbermill, sawmill;
- K. Picnic area, riding, hiking trails;
- L. Private stable;
- M. Public or private park, playground;
- N. Single-family dwelling, one per permitted density;
- O. Upon findings by the planning commission that a use is consistent with the purposes of this chapter, the use may be added to this section, provided that the commission concurrently initiates a change in this chapter for inclusion of the use. (Ord. 1872 §2(part), 1987; Ord. 1807 §1(part), 1986).

17.12.030 Conditional uses. The following uses are permitted in the GF zone upon approval and validation of a conditional use permit:

- A. Labor camp;
- B. Church;
- C. Mineral resource extraction and production;
- D. Public utility buildings, facilities, structures, telecommunications transmitters and antennae;
- E. Airport, heliport;
- F. Cemetery;
- G. Group care home of more than six clients pursuant to California Health and Safety Code Section 1501;
- H. Logging contractor equipment yard not associated with on-site accepted timber practices;
- I. Commercial kennel;
- J. Accessory dwelling subject to Chapter 17.66;
- K. Community hall, grange hall;
- L. School;
- M. Retreat;
- N. Upon findings by the planning commission that a use is consistent with the purpose of this chapter, the use may be added to this section, provided that the commission concurrently initiates a change in this chapter for inclusion of the use;
- O. Wood chipping and mulching. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 1872 §§1(part), 2(part), 1987; Ord. 1807 §1(part), 1986).

17.12.040 Temporary uses. The following uses are permitted in the GF zone on a temporary basis not to exceed twelve months, the duration of a building permit, or the provisions of this title, whichever is shortest:

A. Continued use of an existing building during construction of a new building on the subject property;

B. Temporary use of a mobile home in conformance with Section 17.04.130;

C. Temporary storage of contractor's equipment during construction of new structures on-site;

D. Temporary storage of logging equipment for use during the harvest on-site. (Ord. 1807 §1(part), 1986).

17.12.050 Accessory uses. The following accessory uses consistent with the definition in Chapter 17.06 are permitted in the GF zone:

A. Residential garages and/or carports;

B. Swimming pool located not closer than twenty feet to any property line or within the front setback;

C. Fences, walls;

D. Business in the home in conformance with Chapter 17.68:

1. Residential occupation,

2. Rural home business,

3. Rural home medical clinic on parcels of five acres or more,

4. Rural veterinarian clinic on parcels of five acres or more;

E. Signs in conformance with Chapter 17.72;

F. Usual and customary accessory structures and uses associated with a residence;

G. Logging camp, subject to an administrative use permit pursuant to Section 17.04.110 and subject to the standards of Section 17.04.120;

H. Usual and customary accessory structures and uses associated with a logging operation;

I. Private kennel. (Ord. 2576 §2(part), 1999; Ord. 2345 §3 Exh. A(part), 1993; Ord. 1807 §1(part), 1986).

17.12.060 Performance standards. In the GF zone, the following performance standards shall apply in addition to any other standards in this title:

A. No lands within the GF zone shall be included in the PD or DR zones;

B. No limitations on the hours of operation for any logging activities shall apply in the GF zone;

C. The requirements of the Southern District Forest Practices Act shall apply to all timber harvests in the GF zone;

D. Noise levels of commercial timber activities shall comply with the noise element of the general plan. (Ord. 1807 §1(part), 1986).

17.12.070 Site development standards. In the GF zone, the following site development standards apply:

- A. Minimum parcel size for new parcels:
 - 1. With individual well and on-site sewage disposal system: twenty acres,
 - 2. With public water and on-site sewage disposal system: twenty acres,
 - 3. With public water and public sewage disposal: twenty acres;
- B. Maximum density:
 - 1. With individual well and on-site sewage disposal system: one dwelling per twenty acres,
 - 2. With public water and on-site sewage disposal system: one dwelling per twenty acres,
 - 3. With public water and public sewage disposal: one dwelling per twenty acres;
- C. Maximum lot coverage: no requirement;
- D. Maximum building height: thirty-five feet;
- E. Lot width:
 - 1. Average: two hundred feet,
 - 2. At the road: twenty feet, or fifteen feet when access is shared with the adjacent parcel;
- F. Lot depth:
 - 1. Average: no requirement,
 - 2. Minimum: two hundred feet;
- G. Minimum building setbacks:
 - 1. For purposes of this chapter the following shall apply:
 - a. Front, thirty feet from the property line, or sixty feet from the centerline of the road right-of-way or easement, whichever distance is greater,
 - b. Corner, or lots with multiple lot lines fronting roads, same distance as front for all property lines fronting road rights-of-way or easements,
 - c. Side, twenty feet,
 - d. Rear, thirty feet,
 - e. Between buildings:
 - 1. Residential, ten feet,
 - 2. Timber, logging or agriculture, twenty feet, or the requirements of the responsible fire agency, whichever is greater,
 - f. Vision clearance, thirty-five feet,
 - 2. In addition to the setbacks specified in subsection (G)(1) of this section, minimum building setbacks shall meet the requirements of Section 8.10.120 in order to achieve defensible space, which requires a thirty-foot setback from all property lines and/or center of the road for parcels one acre or larger, and the same practical effect shall be provided for parcels less than one acre. Procedures for exceptions to these standards shall comply with Sections 8.10.150 and 8.10.190. (Ord. 2345 §3 Exh. A(part), 1993; Ord. 1807 §1(part), 1986).

Chapter 17.14TIMBER PRODUCTION (TP) ZONE*Sections:

- 17.14.010 Purpose.
- 17.14.020 Permitted uses.
- 17.14.030 Conditional uses.
- 17.14.040 Temporary uses.
- 17.14.050 Accessory uses.
- 17.14.060 Performance standards.
- 17.14.070 Site development standards.

17.14.010 Purpose. The purpose of the timber production zone is to implement the provisions of the Z'Berg, Warren, Collier Forest Taxation Reform Act as amended and stated in the California Government Code. Lands in the TP zone are commonly known as timber preserves. Such land is intended for the primary and productive use of timber resources. This includes timber and wildlife management. While such lands also provide open space this secondary purpose is not to limit or constrain the ability of the property owners to utilize the land in an efficient and productive manner. No development found incompatible with the primary purposes of timber production shall be permitted in the TP zone. (Ord. 1807 §1(part), 1986).

17.14.020 Permitted uses. The following uses are permitted in the TP zone:

- A. Accepted farming practices;
- B. Commercial agriculture;
- C. Accepted ranching practices;
- D. Fish and wildlife management, hunting and fishing preserves;
- E. Management of erosion control;
- F. A project under the auspices of the California Forest Improvement Program (CFIP), or any other state, federal or public forestation program or project;
- G. Fire station, ranger station, information center;
- H. Lumbermill, sawmill, other forest product processing;
- I. Single-family dwelling, one per permitted density, as provided in this chapter or the timber management plan;

* Prior ordinance history: Chapter 17.14 was renumbered by Ord. 1810. Provisions of Chapter 17.14 were formerly codified at Chapter 17.12 deriving from Ords. 945, 1349 and 1373.

J. Group care home for six or fewer clients pursuant to California Health and Safety Code Section 1501, subject to review for overconcentration pursuant to H&S Section 1520.5;

K. Family day care home, pursuant to state regulations;

L. Upon findings by the planning commission that a use is consistent with the purposes of this chapter, the use may be added to this section, provided that the commission concurrently initiates a change in this chapter for inclusion of the use. (Ord. 2614 §3 Exh. A(part), 2000; (Ord. 1872 §2(part), 1987; Ord. 1807 §1(part), 1986).

17.14.030 Conditional uses. The following uses are permitted in the TP zone upon approval and validation of a conditional use permit:

A. Accessory dwelling in compliance with Chapter 17.66;

B. Commercial kennel associated with a residence on the subject property;

C. Group care home of more than six clients pursuant to California Health and Safety Code Section 1501;

D. Labor camp;

E. Mineral resource extraction and production;

F. Public utility buildings, facilities, structures, telecommunications transmitters and antennae;

G. Upon findings by the planning commission that a use is consistent with the purpose of this chapter, the use may be added to this section provided that the commission concurrently initiates a change in this chapter for inclusion of the use;

H. Wood chipping and mulching. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 1807 §1(part), 1986).

17.14.040 Temporary uses. The following uses are permitted in the TP zone on a temporary basis not to exceed twelve months, the duration of a building permit, or the provisions of this title, whichever is shortest:

A. Continued use of an existing building during construction of a new building on the subject property;

B. Temporary use of a mobile home in conformance with Section 17.04.130;

C. Temporary storage of contractor's equipment during construction of new structures on-site;

D. Temporary storage of logging operator's equipment on the site of the timber harvest. (Ord. 1807 §1(part), 1986).

17.14.050 Accessory uses. The following accessory uses consistent with the definition in Chapter 17.06 are permitted in the TP zone:

- A. Residential garages and/or carports;
- B. Swimming pool located not closer than twenty feet to any property line or within the front setback;
- C. Fences, walls;
- D. Business in the home in conformance with Chapter 17.68;
- E. Signs in conformance with Chapter 17.72;
- F. Usual and customary accessory structures and uses associated with a residence;
- G. Usual and customary accessory structures and uses associated with a logging operation;
- H. Logging camp, subject to an administrative use permit pursuant to Section 17.04.110 and to the standards of Section 17.04.120;
- I. Private kennel. (Ord. 2576 §2(part), 1999; Ord. 1807 §1(part), 1986).

17.14.060 Performance standards. In the TP zone, the following performance standards shall apply in addition to any other standards in this title:

A. No land in the TP zone shall be included in the PD or DR zones;

B. No limitations on the hours of operation for any logging practice shall be imposed on lands in the TP zone;

C. Timber operations shall be subject to the provisions of the Southern District Forest Practices Act;

D. Commercial timber operations shall conform with the requirements of the noise element of the general plan;

E. The following requirements authorized by the Timber Taxation Reform Act as amended shall apply:

1. All parcels in the TP zone shall meet the definition of "timberland" pursuant to Section 51000(F) of the California Government Code,

2. Compliance with compatible uses as established by Resolution 76-373 of the board of supervisors of the County, and as amended by ordinance,

3. Upon the effective date of the ordinance codified in this chapter, any owner of record may make application to the board of supervisors to zone such land into the TP zone. Such application shall comply with Sections 17.14.060E1 or 17.14.060E2,

4. Application procedures shall be established in this title and California Government Code Section 51113, including the following additional criteria:

a. The application shall include a map showing the perimeter boundaries of the parcel(s) to be included in the TP zone, with all assessor parcel numbers indicated on the map,

b. The application shall include a timber management plan prepared over the signature of a registered

professional forester in conformance with the requirements of the Board of Forestry,

c. The parcel(s) shall meet the requirements of the Forest Practices Act, and if applicable, the requirements of California Public Resources Code Section 4031,

d. The land shall be included in the prime timber land category of the Calaveras County general plan, or shall meet the requirements of Section 434 of the California Revenue and Taxation Code, or the land area shall be dedicated to the growth, management and production of timber resources, or within a program approved by the Board of Forestry under CFIP,

5. Parcels included in the TP zone shall be zoned as such for a rolling period of ten years from the ordinance effective date. On the first, and all subsequent anniversary dates of the ordinance, the ten-year period shall be extended by one year, unless a notice of cancellation and rezoning is approved as provided in the Act, as amended;

F. When land is rezoned from TP to another district, the change of zone shall take place on the tenth anniversary of the ordinance adoption;

G. Parcels in the TP zone shall not be subdivided into lots of less than one hundred sixty acres unless a finding is substantiated that the timber management plan has been amended to include the proposed new parcels in a plan meeting the requirements of the Act, and further provided that such subdivision and plan amendment are approved by a four-fifths vote of the board of supervisors. (Ord. 1807 §1 (part), 1986).

17.14.070 Site development standards. In the TP zone, the following site development standards apply:

A. Minimum parcel size for new parcels:

1. With individual well and on-site sewage disposal system: one hundred sixty acres,
2. With public water and on-site sewage disposal system: one hundred sixty acres,
3. With public water and public sewage disposal: one hundred sixty acres;

B. Maximum density:

1. With individual well and on-site sewage disposal system: one dwelling per one hundred sixty acres,
2. With public water and on-site sewage disposal system: one dwelling per one hundred sixty acres,
3. With public water and public sewage disposal: one dwelling per one hundred sixty acres;

C. Maximum lot coverage: no requirement;

D. Maximum building height: thirty-five feet;

E. Lot width:

1. Average: no requirement,
2. At the road: no requirement;

F. Lot depth:

1. Average: no requirement,
2. Minimum: no requirement;

G. Minimum building setbacks:

1. For purposes of this chapter the following shall apply:

a. Front, thirty feet from the property line, or sixty feet from the centerline of the road right-of-way or easement, whichever distance is greater,

b. Corner, or lots with multiple lot lines fronting roads, same distance as front for all property lines fronting road rights-of-way or easements,

- c. Side, twenty feet,
 - d. Rear, thirty feet,
 - e. Between buildings:
 - 1. Residential, ten feet,
 - 2. Timber, logging or agriculture, twenty feet, or the requirements of the responsible fire agency, whichever is greater,
 - f. Vision clearance: thirty-five feet,
2. In addition to the setbacks specified in subsection (G)(1) of this section, minimum building setbacks shall meet the requirements of Section 8.10.120 in order to achieve defensible space, which requires a thirty-foot setback from all property lines and/or center of the road for parcels one acre or larger, and same practical effect shall be provided for parcels less than one acre. Procedures for exceptions to these standards shall comply with Sections 8.10.150 and 8.10.190. (Ord. 2345 §3 Exh. (part), 1993; Ord. 1807 §1(part), 1986).

Chapter 17.16

GENERAL AGRICULTURE (A1) ZONE*

Sections:

- 17.16.010 Purpose.
- 17.16.015 Right to farm.
- 17.16.020 Permitted uses.
- 17.16.030 Conditional uses.
- 17.16.040 Temporary uses.
- 17.16.050 Accessory uses.
- 17.16.060 Performance standards.
- 17.16.070 Site development standards.

17.16.010 Purpose. The A1 zone is intended to be the main resource production zone. It is to classify areas for general farming and ranching practices, and assign such uses the primary emphasis for the area. It is the purpose of the A1 zone that residential uses are placed in a position of secondary importance when compared to the commercial scale production of food and fiber. (Ord. 1807 §1(part), 1986).

* Prior ordinance history: Chapter 17.16 was renumbered by Ord. 1810. Provisions of Chapter 17.16 were formerly codified at Ch. 17.14 deriving from Ords. 945, 990, 1072, 1115, 1206, 1349, 1373, 1603 and 1624.

17.16.015 Right to farm. Any legally existing agriculture land use (farming, ranching, orchard, livestock, row crops, food processing) is considered to have a right to enjoy the productive and economic fruits of labors without fear of infringement on this right by encroaching residential or other nonagriculture development on adjoining parcels and lands in the general vicinity. The right to farm shall take precedence over all other adjoining and nearby land uses. (Ord. 1807 §1(part), 1986).

17.16.020 Permitted uses. A. The following uses are permitted in the A1 zone:

1. Accepted farming practices;
2. Commercial agriculture;

3. Accepted timber practices;
4. Single-family dwelling, one per permitted general plan density;
5. Group care home of six or fewer clients, pursuant to California Health and Safety Code Section 1501, subject to review for overconcentration pursuant to H&S Section 1520.5;
6. Commercial greenhouse, wholesale nursery;
7. Commercial agriculture product sales;
8. Veterinarian clinic pursuant to Chapter 17.59 without the requirement for a conditional use permit;
9. Family day care home, pursuant to state regulations;
10. Winery, vineyard, tasting room located on the site of the winery;
11. Upon findings by the planning commission that a use is consistent with the purposes of this chapter, the use may be added to this section, provided that the commission concurrently initiates a change in this chapter for inclusion of the use.

B. The following uses are permitted in the A1 zone on parcels of twenty acres or more:

1. Agriculture product storage;
2. Commercial kennel associated with an on-site residence;
3. Fish farm, wholesale and retail fish farm, hatchery;
4. Food canning and processing;
5. Private fishing, hunting club;
6. Private stable. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 1872 §2(part), 1987; Ord. 1807 §1(part), 1986).

17.16.030 Conditional uses. The following uses are permitted in the A1 zone upon approval and validation of a conditional use permit:

- A. Accessory dwelling in conformance with Chapter 17.66;
- B. Airport, heliport;
- C. Group care home of more than six clients pursuant to California Health and Safety Code Section 1501;
- D. Cemetery;
- E. Commercial stable;
- F. Community hall, grange hall;
- G. Contractor's equipment yard;
- H. Feed lot;
- I. Fire station;
- J. Food-processing waste disposal, septage waste disposal;
- K. Horse racetrack;
- L. Labor camp;
- M. Landfill, Class II or Class III;

- N. Mineral resource extraction and production;
- O. Reserved;
- P. Picnic area, park, playground, rest area;
- Q. Public utility buildings, facilities, structures, telecommunications transmitters and antennae;
- R. School;
- S. Church;
- T. Retreat;
- U. Circus, carnival, concert or entertainment event of more than one thousand persons;
- V. Upon findings by the planning commission that a use is consistent with the purposes of this chapter, the use may be added to this section, provided that the commission concurrently initiates a change in this chapter for inclusion of the use;
- W. Wood chipping and mulching;
- X. Feed stores. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 2017 §3 Exh. A(part), 1989; Ord. 1872 §§1(part), 2(part), 1987; Ord. 1807 §1(part), 1986).

17.16.040 Temporary uses. The following uses are permitted in the A1 zone on a temporary basis not to exceed twelve months, the duration of a building permit, or the provisions of this title, whichever is shortest:

- A. Continued use of an existing building during construction of a new building on the subject property;
- B. Temporary use of a mobile home in conformance with Section 17.04.130;
- C. Temporary storage of contractor's equipment during construction of new structures on-site;
- D. Temporary use and storage of vehicles and equipment used during preparation, planting, harvesting, or slaughtering of crops, livestock, or other agriculture processes. (Ord. 1807 §1(part), 1986).

17.16.050 Accessory uses. The following accessory uses consistent with the definition in Section 17.06.0080 are permitted in the A1 zone:

- A. Residential garages and/or carports;
- B. Swimming pool located not closer than twenty feet to any property line or within the front setback;
- C. Fences, walls;
- D. Business in the home in conformance with Chapter 17.68;
- E. Signs in conformance with Chapter 17.72;
- F. Usual and customary accessory structures and uses associated with a residence;
- G. Usual and customary accessory structures and uses associated with an agribusiness. (Ord. 2576 §2(part), 1999; Ord. 1807 §1(part), 1986).

17.16.060 Performance standards. In the A1 zone, the following performance standards shall apply in addition to any other standards in this title:

A. No land in the A1 zone shall be included in the PD zone;

B. No restrictions in terms of agricultural land use shall be imposed upon a legally existing agriculture use pursuant to Section 17.16.015;

C. Agriculture uses shall comply with federal, state and local regulations in relation to the storage, handling, application and disposal of toxic and hazardous materials. (Ord. 2345 §3 Exh. A(part), 1993; Ord. 1807 §1(part), 1986).

17.16.070 Site development standards. In the A1 zone, the following site development standards apply:

A. Minimum parcel size for new parcels:

1. With individual well and on-site sewage disposal system: twenty acres,

2. With public water and on-site sewage disposal system: twenty acres,

3. With public water and public sewage disposal: twenty acres;

B. Maximum density:

1. With individual well and on-site sewage disposal system: one dwelling per twenty acres,

2. With public water and on-site sewage disposal system: one dwelling per twenty acres,

3. With public water and public sewage disposal: one dwelling per twenty acres;

C. Maximum lot coverage: no requirement;

D. Maximum building height:

1. Residential, thirty-five feet,

2. Agriculture, no requirement;

E. Lot width:

1. Average: two hundred feet,

2. At the road: twenty feet, or fifteen feet when access is shared with the adjacent parcel;

F. Lot depth:

1. Average: five hundred feet,

2. Minimum: two hundred feet;

G. Minimum building setbacks:

1. For purposes of this chapter the following shall apply:

a. Front, thirty feet from the property line, or sixty feet from the centerline of the road right-of-way or easement, whichever distance is greater,

b. Corner, or lots with multiple lot lines fronting roads, same distance as front for all property lines fronting road rights-of-way or easements,

c. Side, twenty feet,

d. Rear, thirty feet,

e. Between buildings, ten feet, or the requirements of the responsible fire agency, whichever is greater,

f. Vision clearance: thirty-five feet,

2. In addition to the setbacks specified in subsection (G)(1) of this section, minimum building setbacks shall meet the requirements of Section 8.10.120 in order to achieve defensible space, which requires a thirty-foot setback from all property lines and/or center of the road for parcels one acre or larger, and same practical effect shall be provided for parcels less than one acre. Procedures for exceptions to these standards shall comply with Sections 8.10.150 and 8.10.190. (Ord. 2345 §3 Exh. A(part), 1993; Ord. 1807 §1(part), 1986).

Chapter 17.18

AGRICULTURE PRESERVE (AP) ZONE*

Sections:

- 17.18.010 Purpose.
- 17.18.015 Right to farm.
- 17.18.020 Permitted uses.
- 17.18.030 Conditional uses.
- 17.18.040 Temporary uses.
- 17.18.050 Accessory uses.
- 17.18.060 Performance standards.
- 17.18.070 Site development standards.

17.18.010 Purpose. The purpose of the AP zone is to protect and preserve lands for intensive agriculture and ranching production. Agriculture preserve zoning applies to lands for which a Williamson Act contract has been executed. The AP zone may also be utilized for open space protection and preservation. (Ord. 1807 §1(part), 1986).

17.18.015 Right to farm. Any legally existing agriculture land use (farming, ranching, orchard, livestock, row crops, food processing) is considered to have a right to enjoy the productive and economic fruits of labors without fear of infringement on this right by encroaching residential or other nonagriculture development on adjoining parcels and lands in the general vicinity. The right to

* Prior ordinance history: Chapter 17.18 was renumbered by Ord. 1810. Provisions of Chapter 17.18 were formerly codified at Chapter 17.16 deriving from Ords. 945, 990, 1072, 1206, 1343, 1349, 1603 and 1624.

farm shall take precedence over all other adjoining and nearby land uses. (Ord. 1807 §1(part), 1986).

17.18.020 Permitted uses. The following uses are permitted in the AP zone:

- A. Accepted farming practices;
- B. Commercial agriculture;
- C. Accepted timber practices;
- D. Winery vineyard, wine-tasting room on the site of the winery;
- E. Single-family residence, one per permitted general plan density;
- F. Agriculture product storage;
- G. Commercial greenhouse, wholesale nursery;
- H. Fish hatchery;
- I. Private stable;
- J. Agriculture product sales;
- K. Fire station;
- L. Commercial kennel associated with the on-site residence;
- M. Group care home of six or fewer clients pursuant to California Health and Safety Code Section 1501, subject to review for overconcentration pursuant to H&S Section 1520.5;
- N. Family day care home of twelve or fewer children subject to state licensing requirements;
- O. Upon findings by the planning commission that a use is consistent with the purposes of this chapter, the use may be added to this section, provided that the commission concurrently initiates a change in this chapter for inclusion of the use. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 1872 §2(part), 1987; Ord. 1807 §1(part), 1986).

17.18.030 Conditional uses. The following uses are permitted in the AP zone upon approval and validation of a conditional use permit, and further provided that the uses are in conformance with the provisions of the Williamson Act contract for the subject property:

- A. Airport, heliport;
- B. Feed lot;
- C. Public utility building, facility, structure, telecommunications antennae and transmitter;
- D. Community hall, church, grange, school;
- E. Group care home of more than six clients pursuant to California Health and Safety Code Section 1501;
- F. Mineral resource extraction and production;
- G. Cemetery;
- H. Food processing waste disposal, septage waste disposal;
- I. Class II or Class III landfill;

J. Accessory dwelling pursuant to Chapter 17.66;

K. Upon findings by the planning commission that a use is consistent with the purposes of this chapter, the use may be added to this section provided that the commission concurrently initiates a change in this chapter for inclusion of the use;

L. Circus, carnival, concert or entertainment event of more than one thousand persons;

M. Wood chipping and mulching;

N. Feed stores. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 2017 §3 Exh. A(part), 1989; Ord. 1807 §1(part), 1986).

17.18.040 Temporary uses. The following uses are permitted in the AP zone on a temporary basis not to exceed twelve months, the duration of a building permit, or the provisions of this title, whichever is shortest:

A. Continued use of an existing building during construction of a new building on the subject property;

B. Temporary use of a mobile home in conformance with Section 17.04.130;

C. Temporary storage of contractor's equipment during construction of new structures on-site;

D. Temporary storage of trucks, equipment, trailers, and other vehicles or equipment used in planting, harvesting, or transfer of agriculture commodities or products and livestock. (Ord. 1807 §1(part), 1986).

17.18.050 Accessory uses. The following accessory uses, consistent with the definition in Section 17.06.0080 are permitted in the AP zone:

A. Residential garages and/or carports;

B. Swimming pool located not closer than twenty feet to any property line or within the front setback;

C. Fences, walls;

D. Business in the home in conformance with Chapter 17.68;

E. Signs in conformance with Chapter 17.72;

F. Usual and customary accessory structures and uses associated with a residence. (Ord. 2576 §2(part), 1999; Ord. 1807 §1(part), 1986).

17.18.060 Performance standards. In the AP zone, the following performance standards shall apply in addition to any other standards in this title:

A. No land in the AP zone shall be included in the PD or DR zones;

B. No restrictions in terms of agricultural land use shall be imposed upon a legally existing agriculture use pursuant to Section 17.18.015;

C. Agriculture uses shall comply with federal, state, and local regulations in relation to the storage, handling, application, and disposal of toxic and hazardous materials. (Ord. 1807 §1(part), 1986).

17.18.070 Site development standards. In the AP zone, the following site development standards apply:

A. Minimum parcel size for new parcels:

1. With individual well and on-site sewage disposal system: fifty acres, provided that each new parcel qualifies for a separate and independent Williamson Act contract,

2. With public water and on-site sewage disposal system: fifty acres, provided that each new parcel qualifies for a separate and independent Williamson Act contract,

3. With public water and public sewage disposal: fifty acres, provided that each new parcel qualifies for a separate and independent Williamson Act contract;

B. Maximum density:

1. With individual well and on-site sewage disposal system: one dwelling per fifty acres, provided that each new parcel qualifies for a separate and independent Williamson Act contract,

2. With public water and on-site sewage disposal system: one dwelling per fifty acres, provided that each new parcel qualifies for a separate and independent Williamson Act contract,

3. With public water and public sewage disposal: one dwelling per fifty acres, provided that each new parcel qualifies for a separate and independent Williamson Act contract;

C. Maximum lot coverage: no requirement;

D. Maximum building height:

1. Residential, thirty-five feet,

2. Agriculture, no requirement;

E. Lot width:

1. Average: no requirement,

2. At the road: no requirement;

F. Lot depth:

1. Average: no requirement,

2. Minimum: no requirement;

G. Minimum building setbacks:

1. For purposes of this chapter the following shall apply:

a. Front, thirty feet from the property line, or sixty feet from the centerline of the road right-of-way or easement, whichever distance is greater,

b. Corner, or lots with multiple lot lines fronting roads, same distance as front for all property lines fronting road rights-of-way or easements,

- c. Side, twenty feet,
 - d. Rear, thirty feet,
 - e. Between buildings, ten feet, or the requirements of the responsible fire agency, whichever is greater,
 - f. Vision clearance: thirty-five feet,
2. In addition to the setbacks specified in subsection (G)(1) of this section, minimum building setbacks shall meet the requirements of Section 8.10.120 in order to achieve defensible space, which requires a thirty-foot setback from all property lines and/or center of the road for parcels one acre or larger, and same practical effect shall be provided for parcels less than one acre. Procedures for exceptions to these standards shall comply with Sections 8.10.150 and 8.10.190. (Ord. 2345 §3 Exh. A(part), 1993; Ord. 1807 §1(part), 1986).

Chapter 17.20

RESIDENTIAL AGRICULTURE (RA) ZONE*

Sections:

- 17.20.010 Purpose.
- 17.20.020 Permitted uses.
- 17.20.030 Conditional uses.
- 17.20.040 Temporary uses.
- 17.20.050 Accessory uses.
- 17.20.060 Performance standards.
- 17.20.070 Site development standards.

17.20.010 Purpose. The RA zone is intended to be a district in which an equal emphasis is assigned to residential and agricultural uses. The RA zone is to provide lands for small-scale and personal-scale farming and ranching, as well as larger residential parcels. (Ord. 1782 §1(part), 1986).

17.20.020 Permitted uses. The following uses are permitted in the RA zone:

- A. Single-family dwelling, one per permitted general plan density;
- B. Accepted farming practices;

* Prior ordinance history: Chapter 17.20 was renumbered by Ord. 1810. Provisions of Chapter 17.20 were formerly codified at Chapter 17.18 deriving from Ords. 945, 1349, 1373, 1603 and 1624.

- C. Commercial agriculture;
- D. Accepted timber practices;
- E. Agriculture product sales;
- F. Commercial greenhouse, wholesale nursery;
- G. Group care home of six or fewer clients pursuant to California Health and Safety Code Section 1501, subject to review for overconcentration pursuant to H&S Section 1520.5;
- H. Family day care home of twelve or fewer children;
- I. Upon findings by the planning commission that a use is consistent with the purposes of this chapter, the use may be added to this section, provided that the commission concurrently initiates a change in this chapter for inclusion of the use. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 1872 §2(part), 1987; Ord. 1782 §1(part), 1986).

17.20.030 Conditional uses. The following uses are permitted in the RA zone upon approval and validation of a conditional use permit:

- A. Accessory dwelling pursuant to Chapter 17.66;
- B. Airport, heliport;
- C. Cemetery;
- D. Church;
- E. Commercial kennel associated with a residence;
- F. Group care home of more than six clients pursuant to California Health and Safety Code Section 1501;
- G. Labor camp;
- H. Reserved;
- I. Picnic area, park, playground;
- J. Private stable, riding academy;
- K. Public utility buildings, structures, facilities, telecommunications transmitters and antennae;
- L. Recreation center;
- M. School;
- N. On parcels of ten acres or more, a veterinary clinic with or without overnight boarding, and without requirements for residency;
- O. Woodyard;
- P. Upon findings by the planning commission that a use is consistent with the purpose of this chapter, the use may be added to this section, provided that the commission concurrently initiates a change in this chapter for inclusion of the use;
- Q. Bed and breakfast;
- R. Circus, carnival, concert or entertainment event of more than one thousand persons;
- S. Winery (with grapes grown on or off site), vineyard and tasting room located on the site of the winery. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 2405 Exh. A(part), 1994; Ord. 2017 §3 Exh. A(part), 1989; Ord. 1782 §1(part), 1986).

17.20.040 Temporary uses. The following uses are permitted in the RA zone on a temporary basis not to exceed twelve months, the duration of a building permit, or the provisions of this title, whichever is shortest:

- A. Continued use of an existing building during construction of a new building on the subject property;
- B. Temporary use of a mobile home in conformance with Section 17.04.130;
- C. Temporary storage of contractor's equipment during construction of new structures on-site. (Ord. 1782 §2(part), 1986).

17.20.050 Accessory uses. The following accessory uses, consistent with the definition in Section 17.06.0080 are permitted in the RA zone:

- A. Residential garages and/or carports;
- B. Swimming pool located not closer than twenty feet to any property line or within the front setback;
- C. Fences, walls;
- D. Business in the home in conformance with Chapter 17.68:
 - 1. Residential occupation consistent with Chapter 17.68,
 - 2. Rural home business consistent with Chapter 17.68,
 - 3. Rural home medical clinic on parcels of five acres or more consistent with Chapter 17.68,
 - 4. Rural veterinarian clinic on parcels of five acres or more consistent with Chapter 17.68;
- E. Signs in conformance with Chapter 17.72;
- F. Usual and customary accessory structures and uses associated with a residence;
- G. Private kennel. (Ord. 2576 §2(part), 1999; Ord. 1782 §1(part), 1986).

17.20.060 Performance standards. In the RA zone, the following performance standards shall apply in addition to any other standards in this title:

- A. Agriculture uses shall comply with federal, state and local regulations concerning the storage, handling, application and disposal of hazardous and toxic materials and substances. (Ord. 2345 §3 Exh. A(part), 1993; Ord. 1872 §3(part), 1987; Ord. 1782 §1(part), 1986).

17.20.070 Site development standards. In the RA zone, the following site development standards apply:

- A. Minimum parcel size for new parcels:
 - 1. With individual well and on-site sewage disposal system: five acres,

2. With public water and on-site sewage disposal system: five acres,

3. With public water and public sewage disposal: five acres;

B. Maximum density:

1. With individual well and on-site sewage disposal system: one dwelling per five acres,

2. With public water and on-site sewage disposal system: one dwelling per five acres,

3. With public water and public sewage disposal: one dwelling per five acres;

C. Maximum lot coverage: twenty-five percent;

D. Maximum building height: thirty-five feet;

E. Lot width:

1. Average: two hundred feet,

2. At the road: twenty feet, or fifteen feet when access is shared with the adjacent parcel;

F. Lot depth:

1. Average: two hundred and fifty feet, or

2. Minimum: three hundred feet;

G. Minimum building setbacks:

1. For purposes of this chapter the following shall apply:

a. Front, thirty feet from the property line, or sixty feet from the centerline of the road right-of-way or easement, whichever distance is greater,

b. Corner, or lots with multiple lot lines fronting roads, same distance as front for all property lines fronting road rights-of-way or easements,

c. Side, ten feet,

d. Rear, twenty feet,

e. Between buildings, ten feet, or the requirements of the responsible fire agency, whichever is greater,

f. Vision clearance: thirty-five feet,

2. In addition to the setbacks specified in subsection (G)(1) of this section, minimum building setbacks shall meet the requirements of Section 8.10.120 in order to achieve defensible space, which requires a thirty-foot setback from all property lines and/or center of the road for parcels one acre or larger, and the same practical effect shall be provided for parcels less than one acre. Procedures for exceptions to these standards shall comply with Sections 8.10.150 and 8.10.190. (Ord. 2345 §3 Exh. A(part), 1993; Ord. 1782 §1(part), 1986).

ARTICLE 3. RESIDENTIAL ZONES

Chapters:

- 17.22 Rural Residential (RR) Zone
- 17.24 Single-family (R1) Residential
- 17.26 Two-family Residential (R2) Zone
- 17.28 Multiple-family Residential (R3) Zone

Chapter 17.22

RURAL RESIDENTIAL (RR) ZONE*

Sections:

- 17.22.010 Purpose.
- 17.22.020 Permitted uses.
- 17.22.030 Conditional uses.
- 17.22.040 Temporary uses.
- 17.22.050 Accessory uses.
- 17.22.060 Performance standards.
- 17.22.070 Site development standards.

17.22.010 Purpose. The RR zone is intended to provide lands for personal ranches in which residential use is the primary land use. The RR zone is established to permit small-scale farming primarily for personal use and not as the primary use for the property. (Ord. 1782 §1(part), 1986).

17.22.020 Permitted uses. The following uses are permitted in the RR zone:

- A. Single-family residence, one per permitted general plan density;
- B. Group care home of six or fewer clients pursuant to California Health and Safety Code Section 1501, subject to review for overconcentration pursuant to H&S Section 1520.5;
- C. Family day care home of twelve or fewer children;
- D. Accepted farming practices;

* Prior ordinance history: Chapter 17.22 was renumbered by Ord. 1810. Provisions of Chapter 17.22 were formerly codified at Chapter 17.20 deriving from Ords. 945, 1349, 1373, 1603 and 1624.

E. Golf course when developed in conjunction with a master planned community;

F. Upon findings by the planning commission that a use is consistent with the purposes of this chapter, the use may be added to this section, provided that the commission concurrently initiates a change in this chapter for inclusion of the use. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 1872 §1(part), 1987; Ord. 1782 §1(part), 1986).

17.22.030 Conditional uses. The following uses are permitted in the RR zone upon approval and validation of a conditional use permit:

A. Accessory dwelling on parcels of one acre or more in conformance with Chapter 17.66;

B. Airport, heliport, as part of subdivision common facilities, limited to the use of the property owners;

C. Cemetery;

D. Church;

E. Group care home of more than six clients pursuant to California Health and Safety Code Section 1501;

F. Reserved;

G. Picnic area, park, playground;

H. Public utility buildings, structures, facilities, telecommunications transmitters and antennae;

I. Recreation center;

J. School;

K. Commercial agriculture;

L. Upon findings by the planning commission that a use is consistent with the purpose of this chapter, the use may be added to this section, provided that the commission concurrently initiates a change in this chapter for inclusion of the use;

M. Bed and breakfast;

N. Parking lot;

O. Ambulance services. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 2017 §3 Exh. A(part), 1989; Ord. 1872 §1(part), 1987; Ord. 1782 §1(part), 1986).

17.22.040 Temporary uses. The following uses are permitted in the RR zone on a temporary basis not to exceed twelve months, the duration of a building permit, or the provisions of this title, whichever is shortest:

A. Continued use of an existing building during construction of a new building on the subject property;

B. Temporary use of a mobile home in conformance with Section 17.04.130;

C. Temporary storage of contractor's equipment during construction of new structures on-site. (Ord. 1782 §1(part), 1986).

17.22.050 Accessory uses. The following accessory uses consistent with the definition of Section 17.06.0080 are permitted in the RR zone:

- A. Residential garages and/or carports;
- B. Swimming pool, located not closer than ten feet to any property line or within the front setback;
- C. Fences, walls;
- D. Business in the home, in conformance with Chapter 17.68:

- 1. Residential occupation,
- 2. Rural home business,
- 3. Rural home medical clinic on parcels of five acres or more,
- 4. Rural veterinarian clinic on parcels of five acres or more;
- E. Signs in conformance with Chapter 17.72;
- F. Usual and customary accessory structures and uses associated with a residence;
- G. Private kennel. (Ord. 2576 §2(part), 1999; Ord. 1872 §3(part), 1987; Ord. 1782 §1(part), 1986).

17.22.060 Performance standards. The RR zone, the following performance standards shall apply in addition to any other standards in this title:

- A. The parking standards of subsection C of Section 17.70.030 shall apply. (Ord. 1872 §3(part), 1987; Ord. 1782 §1(part), 1986).

17.22.070 Site development standards. In the RR zone, the following site development standards apply:

- A. Minimum parcel size for new parcels:
 - 1. With individual well and on-site sewage disposal system: five acres,
 - 2. With public water and on-site sewage disposal system: one acre,
 - 3. With public water and public sewage disposal: one acre, unless a one-half-acre parcel size is permitted under the provisions of an applicable community or special plan;
- B. Maximum density:
 - 1. With individual well and on-site sewage disposal system: one dwelling per five acres,
 - 2. With public water and on-site sewage disposal system: one dwelling per one acre,
 - 3. With public water and public sewage disposal: one dwelling per one acre, unless a one-half-acre parcel size is permitted under the provisions of a community or special plan;
- C. Maximum lot coverage: twenty-five percent;
- D. Maximum building height: thirty-five feet;

- E. Lot width:
 - 1. Average: one hundred feet,
 - 2. At the road: twenty feet, or fifteen feet when access is shared with the adjacent parcel;
- F. Lot depth:
 - 1. Average: one hundred feet,
 - 2. Minimum: one hundred feet;
- G. Minimum building setbacks:
 - 1. For purposes of this chapter the following shall apply:
 - a. Front, twenty feet from the property line, or fifty feet from the centerline of the road right-of-way or easement, whichever distance is greater,
 - b. Corner, or lots with multiple lot lines fronting roads, same distance as front for all property lines fronting road rights-of-way or easements,
 - c. Side, ten feet,
 - d. Rear, twenty feet,
 - e. Between buildings, ten feet, or the requirements of the responsible fire agency, whichever is greater,
 - f. Vision clearance, thirty-five feet,
 - 2. In addition to the setbacks specified in subsection (G)(1) of this section, minimum building setbacks shall meet the requirements of Section 8.10.120 in order to achieve defensible space, which requires a thirty-foot setback from all property lines and/or center of the road for parcels one acre or larger, and same practical effect shall be provided for parcels less than one acre. Procedures for exceptions to these standards shall comply with Sections 8.10.150 and 8.10.190. (Ord. 2345 §3 Exh. A(part), 1993; Ord. 1782 §1(part), 1986).

Chapter 17.24

SINGLE-FAMILY (R1) RESIDENTIAL*

Sections:

- 17.24.010 Purpose.
- 17.24.020 Permitted uses.
- 17.24.030 Conditional uses.

* Prior ordinance history: Chapter 17.24 was renumbered by Ord. 1810. Provisions of Chapter 17.24 were formerly codified at Chapter 17.24 derived from Ords. 945, 1063, 1373, 1603 and 1624.

Sections: (Continued)

- 17.24.040 Temporary uses.
- 17.24.050 Accessory uses.
- 17.24.060 Performance standards.
- 17.24.070 Site development standards.

17.24.010 Purpose. The R1 zone is intended to provide land for single-family residential neighborhoods with houses on individual parcels. (Ord. 2345 §3 Exh. A(part), 1993; Ord. 1782 §1(part), 1986).

17.24.020 Permitted uses. The following uses are permitted in the R1 zone:

- A. Single-family dwelling, one per permitted general plan density;
- B. Group care home of six or fewer clients pursuant to California Health and Safety Code Section 1501, subject to review for overconcentration pursuant to H&S Section 1520.5;
- C. Family day care home of twelve or fewer children;
- D. Accepted farming practices;
- E. Golf course when developed in conjunction with a master planned community;
- F. Upon findings by the planning commission that a use is consistent with the purposes of this chapter, the use may be added to this section, provided that the commission concurrently initiates a change in this chapter for inclusion of the use. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 1872 §1(part), 1987; Ord. 1782 §1(part), 1986).

17.24.030 Conditional uses. The following uses are permitted in the R1 zone upon approval and validation of a conditional use permit:

- A. Accessory dwelling on parcels of one acre or more in conformance with Chapter 17.66;
- B. Church;
- C. Group care home of more than six clients pursuant to California Health and Safety Code Section 1501;
- D. Reserved;
- E. Private kennel;
- F. Public utility buildings, structures, facilities, telecommunications transmitters and antennae;
- G. Recreation center;
- H. School;
- I. Commercial agriculture;
- J. Parking lot;
- K. Ambulance services;
- L. Bed and breakfast;

M. Upon findings by the planning commission that a use is consistent with the purposes of this chapter, the use may be added to this section, provided that the commission concurrently initiates a change in this chapter for inclusion of the use. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 2017 §3 Exh. A(part), 1989; Ord. 1872 §1(part), 1987; Ord. 1782 §1(part), 1986).

17.24.040 Temporary uses. The following uses are permitted in the R1 zone on a temporary basis not to exceed twelve months, the duration of a building permit, or the provisions of this title, whichever is shortest:

- A. Continued use of an existing building during construction of a new building on the subject property;
- B. Temporary use of a mobile home in conformance with Section 17.04.130;
- C. Temporary storage of contractor's equipment during construction of new structures on-site. (Ord. 1782 §1(part), 1986).

17.24.050 Accessory uses. The following accessory uses consistent with the definition in Section 17.06.0080 are permitted in the R1 zone:

- A. Residential garages and/or carports;
- B. Swimming pool, located not closer than ten feet to any property line or within the front setback;
- C. Fences, walls;
- D. Residential occupation in conformance with Section 17.68.020;
- E. Signs in conformance with Chapter 17.72;
- F. Usual and customary accessory structures and uses associated with a residence. (Ord. 2576 §2(part), 1999; Ord. 1782 §1(part), 1986).

17.24.060 Performance standards. In the R1 zone, the following performance standards shall apply in addition to any other standards in this title:

- A. No landscaping or planting of trees shall be installed or maintained in such a manner that the growth of the trees will cast a shadow on solar energy devices located on adjoining parcels;
- B. The parking standards of subsection C of Section 17.70.030 shall apply. (Ord. 1872 §3(part), 1987; Ord. 1782 §1(part), 1986).

17.24.070 Site development standards. In the R1 zone, the following site development standards apply:

- A. Minimum parcel size for new parcels:
 - 1. With individual well and on-site sewage disposal system: five acres,

2. With public water and on-site sewage disposal system: one acre,

3. With public water and public sewage disposal: seven thousand square feet;

B. Maximum density:

1. With individual well and on-site sewage disposal system: one dwelling per five acres,

2. With public water and on-site sewage disposal system: one dwelling per one acre,

3. With public water and public sewage disposal: one dwelling per seven thousand square feet;

C. Reserved;

D. Maximum building height: thirty-five feet;

E. Lot width:

1. Average: seventy-five feet,

2. At the road: twenty feet, or fifteen feet when access is shared with the adjacent parcel;

F. Lot depth:

1. Average: seventy-five feet,

2. Minimum: sixty feet;

G. Minimum building setbacks:

1. For purposes of this chapter the following shall apply:

a. Front, twenty feet from the property line, or fifty feet from the centerline of the road right-of-way or easement, whichever distance is greater,

b. Corner, or lots with multiple lot lines fronting roads, same distance as front for all property lines fronting road rights-of-way or easements,

c. Side, five feet,

d. Rear, twenty feet,

e. Between buildings, ten feet, or the requirements of the responsible fire agency, whichever is greater,

f. Vision clearance: thirty-five feet,

2. In addition to the setbacks specified in subsection (G)(1) of this section, minimum building setbacks shall meet the requirements of Section 8.10.120 in order to achieve defensible space, which requires a thirty-foot setback from all property lines and/or center of the road for parcels one acre or larger, and the same practical effect shall be provided for parcels less than one acre. Procedures for exceptions to these standards shall comply with Sections 8.10.150 and 8.10.190. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 2345 §3 Exh. A(part), 1993; Ord. 1782 §1(part), 1986).

Chapter 17.26TWO-FAMILY RESIDENTIAL (R2) ZONE*Sections:

- 17.26.010 Purpose.
- 17.26.020 Permitted uses.
- 17.26.030 Conditional uses.
- 17.26.040 Temporary uses.
- 17.26.050 Accessory uses.
- 17.26.060 Performance standards.
- 17.26.070 Site development standards.

17.26.010 Purpose. The R2 zone is intended to provide for two primary types of land use. First is the conventional duplex. Second is single-family attached housing, such as condominiums, planned unit developments, or townhomes in which each unit is individually owned. (Ord. 1782 §1(part), 1986).

17.26.020 Permitted uses. The following uses are permitted in the R2 zone:

- A. Single-family dwelling, one per permitted general plan density;
- B. Single-family attached dwelling, one per permitted general plan density;
- C. Duplex, one two-unit structure per permitted general plan density;
- D. Group care home of six or fewer clients pursuant to California Health and Safety Code Section 1501, subject to review for overconcentration pursuant to H&S Section 1520.5;
- E. Family day care home of twelve or fewer children;
- F. Accepted farming practices;
- G. Golf course when developed in conjunction with a master planned community;
- H. Upon findings by the planning commission that a use is consistent with the purposes of this chapter, the use may be added to this section, provided that the commission concurrently initiates a change in this chapter for inclusion of the use. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 1872 §1(part), 1987; Ord. 1782 §1(part), 1986).

* Prior ordinance history: Chapter 17.26 was renumbered by Ord. 1810. Provisions of Chapter 17.26 were formerly codified at Chapter 17.26 deriving from Ords. 945, 1206, 1373, 1603 and 1624.

17.26.030 Conditional uses. The following uses are permitted in the R2 zone upon approval and validation of a conditional use permit:

A. Church;
B. Group care home of more than six clients pursuant to California Health and Safety Code Section 1501;

C. Reserved;

D. Private kennel;

E. Public utility buildings, facilities, structures, telecommunications transmitters and antennae;

F. Recreation center;

G. School;

H. Commercial agriculture;

I. Parking lot;

J. Ambulance services;

K. Bed and breakfast;

L. Upon findings by the planning commission that a use is consistent with the purposes of this chapter, the use may be added to this section, provided that the commission concurrently initiates a change in this chapter for inclusion of the use. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 2017 §3 Exh. A(part), 1989; Ord. 1872 §1(part), 1987; Ord. 1782 §1(part), 1986).

17.26.040 Temporary uses. The following uses are permitted in the R2 zone on a temporary basis not to exceed twelve months, the duration of a building permit, or the provisions of this title, whichever is shortest:

A. Continued use of an existing building during construction of a new building on the subject property;

B. Temporary use of mobile home in conformance with Section 17.04.130;

C. Temporary storage of contractor's equipment during construction of new structures on-site. (Ord. 1782 §1(part), 1986).

17.26.050 Accessory uses. The following accessory uses consistent with the definition in Section 17.06.0080 are permitted in the R2 zone:

A. Residential garages and/or carports;

B. Swimming pool, located not closer than ten feet to any property line or within the front setback;

C. Fences, walls;

D. Residential occupation pursuant to Section 17.68.020;

E. Signs in conformance with Chapter 17.72;

F. Usual and customary accessory structures and uses associated with a residence. (Ord. 2576 §2(part), 1999; Ord. 1782 §1(part), 1986).

17.26.060 Performance standards. In the R2 zone, the following performance standards shall apply in addition to any other standards in this title:

A. For development of a duplex, the density in subsection B of Section 17.26.070 refers to two dwelling units per the land area indicated;

B. For development of single-family dwellings, the density in subsection B of Section 17.26.070 refers to two dwelling units per land area indicated;

C. No landscaping or planting of trees shall be installed or maintained in such a manner that the growth of the trees will cast a shadow on solar energy devices located on adjoining parcels;

D. The parking requirements of subsection C of Section 17.70.030 shall be satisfied for single-family detached and duplex dwellings. The parking requirements of subsection A of Section 17.70.030 shall be satisfied for single-family attached dwellings;

E. Exterior lighting shall be shielded or directed in such a manner that direct lighting does not enter into doors or windows of adjoining residences. (Ord. 1872 §3(part), 1987; Ord. 1782 §1(part), 1986).

17.26.070 Site development standards. In the R2 zone, the following site development standards apply:

A. Minimum parcel size for new parcels:

1. With individual well and on-site sewage disposal system: five acres,

2. With public water and on-site sewage disposal system: one acre,

3. With public water and public sewage disposal: seven thousand square feet;

B. Maximum density:

1. With individual well and on-site sewage disposal system: two dwellings per five acres (one duplex),

2. With public water and on-site sewage disposal system: two dwellings per one acre (one duplex),

3. With public water and public sewage disposal: two dwellings per seven thousand square feet (one duplex);

C. Reserved;

D. Maximum building height: thirty-five feet;

E. Lot width:

1. Average: seventy-five feet,

2. At the road: twenty feet, or fifteen feet when access is shared with the adjacent parcel;

F. Lot depth:

1. Average: seventy-five feet,

2. Minimum: sixty feet;

G. Minimum building setbacks:

1. For purposes of this chapter the following shall apply:

a. Front, twenty feet from the property line, or fifty feet from the centerline of the road right-of-way or easement, whichever distance is greater,

b. Corner, or lots with multiple lot lines fronting roads, same distance as front for all property lines fronting road rights-of-way or easements,

c. Side, five feet,

d. Rear, twenty feet,

e. Between buildings, ten feet, or the requirements of the responsible fire agency, whichever is greater,

f. Vision clearance: thirty-five feet,

2. In addition to the setbacks specified in subsection (G)(1) of this section, minimum building setbacks shall meet the requirements of Section 8.10.120 in order to achieve defensible space, which requires a thirty-foot setback from all property lines and/or center of the road for parcels one acre or larger, and same practical effect shall be provided for parcels less than one acre. Procedures for exceptions to these standards shall comply with Sections 8.10.150 and 8.10.190. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 2345 §3 Exh. A(part), 1993; Ord. 1782 §1(part), 1986).

Chapter 17.28

MULTIPLE-FAMILY RESIDENTIAL (R3) ZONE*

Sections:

- 17.28.010 Purpose.
- 17.28.020 Permitted uses.
- 17.28.030 Conditional uses.
- 17.28.040 Temporary uses.
- 17.28.050 Accessory uses.
- 17.28.060 Performance standards.
- 17.28.070 Site development standards.

17.28.010 Purpose. The R3 zone is intended to provide lands for apartments, condominiums, planned unit de-

* Prior ordinance history: Chapter 17.28 was renumbered by Ord. 1810. Provisions of Chapter 17.28 were formerly codified at Chapter 17.28 deriving from Ords. 945, 1206, 1373, 1461 and 1624.

velopments, townhouses and other high-density land use. Such a zone is designated to be located where commercial services, recreation facilities and public services are located within a reasonable distance. (Ord. 1782 §1(part), 1986).

17.28.020 Permitted uses. The following uses are permitted in the R3 zone:

A. Single-family dwelling, one per permitted general plan density;

B. Multiple-family dwellings, one unit per permitted general plan density;

C. Condominiums, planned unit developments, stock co-operatives, townhomes, one unit per permitted general plan density;

D. Time-sharing land use, one unit per permitted general plan density;

E. Group care home of six or fewer clients pursuant to California Health and Safety Code Section 1501, subject to review for overconcentration pursuant to H&S Section 1520.5;

F. Family day care home of twelve or fewer children;

G. Accepted farming practices;

H. Golf course when developed in conjunction with a master planned community;

I. Upon findings by the planning commission that a use is consistent with the purposes of this chapter, the use may be added to this section, provided that the commission concurrently initiates a change in this chapter for inclusion of the use. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 1872 §1(part), 1987; Ord. 1782 §1(part), 1986).

17.28.030 Conditional uses. The following uses are permitted in the R3 zone upon approval and validation of a conditional use permit:

A. Church;

B. Group care home of more than six clients pursuant to California Health and Safety Code Section 1501;

C. Public utility buildings, facilities, structures, telecommunications transmitters and antennae;

D. Reserved;

E. Recreation center;

F. School;

G. Commercial agriculture;

H. Parking lot;

I. Bed and breakfast;

J. Ambulance services;

K. Upon findings by the planning commission that a use is consistent with the purposes of this chapter, the use may be added to this section, provided that the commis-

sion concurrently initiates a change in this chapter for inclusion of the use. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 2017 §3 Exh. A(part), 1989; Ord. 1872 §1(part), 1987; Ord. 1782 §1(part), 1986).

17.28.040 Temporary uses. The following uses are permitted in the R3 zone on a temporary basis not to exceed twelve months, the duration of a building permit, or the provisions of this title, whichever is shortest:

A. Continued use of an existing building during construction of a new building on the subject property;

B. Temporary use of a mobile home in conformance with Section 17.04.130;

C. Temporary storage of contractor's equipment during construction of new structures on-site. (Ord. 1782 §1(part), 1986).

17.28.050 Accessory uses. The following accessory uses consistent with the definition in Section 17.06.0080 are permitted in the R3 zone:

A. Residential garages and/or carports;

B. Swimming pool, located not closer than ten feet to any property line or within the front setback;

C. Fences, walls;

D. Residential occupation pursuant to Section 17.68-.020;

E. Signs in conformance with Chapter 17.72;

F. Usual and customary accessory structures and uses associated with a residence. (Ord. 2576 §2(part), 1999; Ord. 1782 §1(part), 1986).

17.28.060 Performance standards. In the R3 zone, the following performance standards shall apply in addition to any other standards in this title:

A. Parking lots shall be constructed in conformance with subsection C of Section 17.70.030;

B. No landscaping or planting of trees shall be installed or maintained in such a manner that the growth of the trees will cast a shadow on solar energy devices located on adjoining parcels;

C. Exterior lighting shall be shielded in a manner so as not to reflect or shine directly into the windows and doors of adjoining residences;

D. Site development shall include an area equal to a minimum of ten percent of the area devoted to structures and parking for new landscaping. All landscaping shall be installed prior to use or occupancy, and be maintained in a vigorous and healthy condition in perpetuity;

E. Designated solid waste storage areas and recycling access areas shall be provided and paved in conformance

with Section 8.12.050 of this code. (Ord. 2402 §3(part), 1994; Ord. 1782 §1(part), 1986).

17.28.070 Site development standards. In the R3 zone, the following site development standards apply:

- A. Minimum parcel size for new parcels:
 - 1. With individual well and on-site sewage disposal system: five acres,
 - 2. With public water and on-site sewage disposal system: one acre,
 - 3. With public water and public sewage disposal: seven thousand square feet;
- B. Maximum density:
 - 1. With individual well and on-site sewage disposal system: three dwelling units per five acres,
 - 2. With public water and on-site sewage disposal system: six dwelling units per acre,
 - 3. With public water and public sewage disposal: twelve dwelling units per acre;
- C. Reserved;
- D. Maximum building height: forty-five feet;
- E. Lot width:
 - 1. Average: eighty feet,
 - 2. At the road: twenty feet, or fifteen feet when access is shared with the adjacent parcel;
- F. Lot depth:
 - 1. Average: eighty feet,
 - 2. Minimum: sixty feet;
- G. Minimum building setbacks:
 - 1. For purposes of this chapter the following shall apply:
 - a. Front, twenty feet from the property line, or fifty feet from the centerline of the road right-of-way or easement, whichever distance is greater,
 - b. Corner, or lots with multiple lot lines fronting roads, same distance as front for all property lines fronting road rights-of-way or easements,
 - c. Side, ten feet,
 - d. Rear, twenty feet,
 - e. Between buildings, ten feet, or the requirements of the local fire protection agency, whichever is greater,
 - f. Vision clearance: thirty-five feet,
 - 2. In addition to the setbacks specified in subsection (G)(1) of this section, minimum building setbacks shall meet the requirements of Section 8.10.120 in order to achieve defensible space, which requires a thirty-foot setback from all property lines and/or center of the road for parcels one acre or larger, and same practical effect shall be provided for parcels less than one acre. Proce-

dures for exceptions to these standards shall comply with Sections 8.10.150 and 8.10.190. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 2345 §3 Exh. A(part), 1993; Ord. 1782 §1(part), 1986).

ARTICLE 3.5 SPECIFIC PLAN ZONES

Chapters:

17.29 Specific Plan (SP) Zone

Chapter 17.29

SPECIFIC PLAN (SP) ZONE

Sections:

- 17.29.010 Purpose.
- 17.29.015 Definitions.
- 17.29.020 Permitted uses.
- 17.29.030 Conditional uses.
- 17.29.040 Temporary uses.
- 17.29.050 Accessory uses.
- 17.29.060 Performance standards.
- 17.29.070 Site development standards.

17.29.010 Purpose. The purposes of this chapter are:

A. To identify areas of the county for which a comprehensive development plan is required prior to development approvals of the property;

B. To provide a means of creating a set of land use specifications and implementation programs tailored to a particular site and development. (Ord. 2345 §3 Exh. A(part), 1993).

17.29.015 Definitions. In addition to the definitions of terms and uses identified in Chapter 17.06, the following definitions shall apply to this chapter:

"Land use classification" means the designation of land use to property within the specific plan;

"Land use district" is a term used to identify the precise land uses and standards that apply to a land use classification shown on the specific plan. (Ord. 2345 §3 Exh. A(part), 1993).

17.29.020 Permitted uses. The following uses are permitted in the SP zone:

- A. Where no specific plan exists:
 - 1. Accepted farming practices,
 - 2. Accepted timber practices,
 - 3. Accepted ranching practices,
 - 4. Single-family residence, one per forty acres,
 - 5. Group care home of six or fewer clients pursuant to California Health and Safety Code Section 1501, subject to review for overconcentration pursuant to Health and Safety Code Section 1520.5,
 - 6. Family day care home of twelve or fewer children,
 - 7. Commercial agriculture;
- B. Where a specific plan has been adopted, the uses permitted shall be those specified in the land use district in the adopted specific plan. (Ord. 2345 §3 Exh. A(part), 1993).

17.29.030 Conditional uses. The following uses are permitted in the SP zone upon approval and validation of a conditional use permit:

- A. Where no specific plan exists, no uses other than those specified in Section 17.29.020 are allowed;
- B. Where a specific plan has been adopted, the uses permitted shall be those specified in the land use district in the adopted specific plan. (Ord. 2345 §3 Exh. A(part), 1993).

17.29.040 Temporary uses. The following uses are permitted in the SP zone on a temporary basis not to exceed twelve months, the duration of a building permit, or the provisions of this title, whichever is shortest:

- A. Continued use of an existing building during construction of new structures on-site;
- B. Temporary storage of contractors' equipment during construction of new structures on-site;
- C. Any additional temporary use specified in the land use district in the adopted specific plan. (Ord. 2345 §3 Exh. A(part), 1993).

17.29.050 Accessory uses. The following accessory uses consistent with the definition in Section 17.06.0080 are permitted in the SP zone:

- A. Residential garages and/or carports;
- B. Swimming pool located not closer than ten feet to any property line or within the front setback;
- C. Fences, walls;
- D. Home businesses pursuant to Chapter 17.68;

E. Signs in conformance with Chapter 17.72 or the adopted specific plan, whichever is stricter;

F. Any additional accessory structures and uses specified in the land use district in the adopted specific plan. (Ord. 2576 §2(part), 1999; Ord. 2345 §3 Exh. A(part), 1993).

17.29.060 Performance standards. In the SP zone, the following performance standards shall apply in addition to any other standards in this title:

A. On-site parking pursuant to Chapter 17.70, or the approved specific plan;

B. A minimum area equal to ten percent of the land area devoted to structures and parking, or that specified in the land use district of the adopted specific plan, shall be planted with new landscaping. All landscaping shall be maintained in a vigorous and healthy condition in perpetuity;

C. Exterior lighting shall be shielded and directed in such a manner that it does not directly shine into adjoining residences;

D. Siting of structures and location of trees shall be undertaken with care to ensure that shadows do not block

solar energy collection devices on adjoining parcels.
(Ord. 2345 §3 Exh. A(part), 1993).

17.29.070 Site development standards. In the SP zone, the following site development standards shall apply:

A. Where no specific plan exists:

1. Minimum parcel size for new parcels: two hundred acres;
2. Maximum density: one dwelling per forty acres;
3. Maximum lot coverage: twenty-five percent;
4. Maximum building height: thirty-five feet;
5. Lot width:
 - a. Average: five hundred feet,
 - b. At the road: twenty feet, or fifteen feet when access is shared with the adjacent parcel;
6. Lot depth:
 - a. Average: five hundred feet,
 - b. Minimum: two hundred feet;
7. Minimum building setbacks:
 - a. For purposes of this title, the following shall apply:

1. Front, thirty feet from the property line, or sixty feet from the centerline of the road right-of-way or easement, whichever distance is greater,
2. Corner, or lots with multiple lot lines fronting roads, same distance as front for all property lines fronting road rights-of-way or easements,
3. Side, ten feet,
4. Rear, twenty feet,
5. Between buildings, ten feet or the requirements of the responsible fire protection agency, whichever is greater,
6. Vision clearance, thirty-five feet,
- b. In addition to the setbacks specified in subsection (A)(1) of this section, minimum building setbacks shall meet the requirements of Section 8.10.120 in order to achieve defensible space, which requires a thirty-foot setback from all property lines and/or center of the road for parcels one acre or larger, and the same practical effect shall be provided for parcels less than one acre. Procedures for exceptions to these standards shall comply with Sections 8.10.150 and 8.10.190;

B. Where a specific plan has been adopted, the site development standards established by the land use district in the approved specific plan shall apply. The site development standards shall include minimum parcel size, maximum density, maximum lot coverage, maximum building height, lot width, lot depth and minimum building setbacks. (Ord. 2345 §3 Exh. A(part), 1993).

ARTICLE 4. COMMERCIAL AND ECONOMIC ZONES

Chapters:

- 17.30 Rural Commercial (RC) Zone
- 17.32 Rural Home Industry (RM) Zone
- 17.34 Local Commercial (C1) Zone
- 17.36 General Commercial (C2) Zone
- 17.38 Professional Offices (CP) Zone
- 17.40 Light Industrial (M1) Zone
- 17.42 General Industrial (M2) Zone
- 17.44 Business Park (M4) Zone
- 17.46 Recreation (REC) Zone
- 17.48 Public Service (PS) Zone

Chapter 17.30

RURAL COMMERCIAL (RC) ZONE*

Sections:

- 17.30.010 Purpose.
- 17.30.015 Definitions.
- 17.30.020 Permitted uses.
- 17.30.030 Conditional uses.
- 17.30.040 Temporary uses.
- 17.30.050 Accessory uses.
- 17.30.060 Performance standards.
- 17.30.070 Site development standards.

17.30.010 Purpose. The purpose of the RC zone is to provide land for commercial use in small towns, community centers, and isolated areas. (Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

17.30.015 Definitions. For definitions of terms and uses, refer to Chapter 17.06. (Ord. 2320 §3 Exh. A(part), 1993).

17.30.020 Permitted uses. The following uses are permitted in the RC zone:

A. Residential uses:

1. Single-family dwelling, one per permitted general plan density,

* Prior ordinance history: Chapter 17.30 was renumbered by Ord. 1810. Provisions of Chapter 17.30 were formerly codified at Chapter 17.22 deriving from Ords. 945, 1115, 1373, 1461, 1603 and 1624.

2. Duplex, one two-unit structure per permitted general plan density;

3. Garage or carport;

B. Retail uses:

1. Agriculture equipment sales, rental, service,
2. Agriculture product sales,
3. Antique shop,
4. Appliance store,
5. Arts and crafts store,
6. Automotive and vehicle business:
 - a. Car wash,
 - b. Gas station,
 - c. Parts and tools, sales and rental,
 - d. Repair, maintenance, service,
 - e. Tire sales, repair, installation, service,
 - f. Upholstery,
7. Bait shop,
8. Bakery,
9. Bar, tavern, cocktail lounge,
10. Bicycle shop, sales, rental, service, repair,
11. Boat sales, rental,
12. Bookstore,
13. Candy store,
14. Canvas article assembly, sales, repair,
15. Catering service,
16. Clothing store,
17. Computer hardware, software, sales, rental, service,
18. Cosmetic sales, studio,
19. Department store,
20. Drug store,
21. Electrical equipment, materials, part sales,
22. Electronic equipment sales,
23. Florist,
24. Furniture store,
25. Garden shop,
26. Gift shop,
27. Glass products, sales, service, installation,
28. Grocery store, food product sales,
29. Hardware store,
30. Hobby shop,
31. Household equipment, sales, service, rental,
32. Liquor store,
33. Lumberyard,
34. Masonry product sales,
35. Nursery,
36. Pet shop,
37. Photography equipment, supplies,
38. RV accessory sales,
39. Rental equipment agency,
40. Restaurant,

- 41. Secondhand store,
- 42. Shoe stores,
- 43. Sporting goods,
- 44. Stereo and audio equipment sales, rental,
service,
- 45. Variety store,
- 46. Video equipment, sales, rental, service;
- C. Service businesses:
 - 1. Agriculture product storage,
 - 2. Bank, savings and loan, financial institution,
mortgage broker,
 - 3. Barber shop, beauty salon, hair-styling studio,
 - 4. Blacksmith,
 - 5. Consumer service,
 - 6. Dry cleaning store,
 - 7. Frozen food locker,
 - 8. Gunsmith,
 - 9. Health spa, including hot tub rentals, exercise
equipment facilities, workout rooms,
 - 10. Laundromat,
 - 11. Locksmith,
 - 12. Personal service business,
 - 13. Photographer, studio,
 - 14. Printing, publishing,
 - 15. Tailor,
 - 16. Taxidermist,
 - 17. Upholstery repair related to furniture and not
vehicles,
 - 18. Woodyard;
- D. Administrative and professional offices:
 - 1. Administrative offices,
 - 2. Clinic,
 - 3. Library,
 - 4. Medical practices office,
 - 5. Professional office,
 - 6. Public agency and utility offices,
 - 7. Radio or television broadcasting studios and
offices,
 - 8. Real estate office,
 - 9. Veterinary clinic without overnight boarding
facilities;
- E. Public assembly, meetings, accommodations:
 - 1. Bed and breakfast inn,
 - 2. Bowling alley,
 - 3. Church, or other place of worship,
 - 4. Community hall,
 - 5. Convalescent hospital,
 - 6. Country club,
 - 7. Daycare of preschool children, no limitation on
number of students,
 - 8. Garage or carport,

9. Golf course, driving range,
10. Grange hall,
11. Group care home pursuant to California Health and Safety Code Section 1501,
12. Library,
13. Museum,
14. Park, playground, picnic area, rest area,
15. Parking lot,
16. Post office,
17. School,
18. Tennis club, racquetball club,
19. Ambulance services;

F. Processing and assembly uses: electronic component assembly;

G. Accepted farming practices;

H. The planning director may determine that commercial uses similar to the uses enumerated in this section are consistent with this section. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 2320 §3 Exh. A(part), 1993; Ord. 2017 §3 Exh. A(part), 1989; Ord. 1872 §1(part), 1987; Ord. 1781 §1(part), 1986).

17.30.030 Conditional uses. The following uses are permitted in the RC zone upon approval and validation of a conditional use permit:

A. Service businesses:

1. Kennel, commercial,
2. Ministorage warehouse,
3. Truck terminal,
4. Warehouse,
5. Crematory, funeral and internment services;

B. Administrative and professional offices:

1. Laboratory, not handling toxic or hazardous substances,
2. Utility buildings, facilities, structures, telecommunications transmitters and antennae,
3. Veterinarian clinic with overnight commercial boarding;

C. Public assembly, meetings, accommodations:

1. Airport,
2. Circus, carnival, concert or entertainment event of more than one thousand persons,
3. Heliport,
4. Marina,
5. Motel,
6. Videogame arcade;

D. Processing and assembly uses:

1. Agriculture product processing, canning,
2. Power generation,
3. Lumbermill, sawmill;

E. Commercial agriculture;

F. The planning director may determine that commercial uses similar to uses enumerated in this section are consistent with this section. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 2320 §3 Exh. A(part), 1993; Ord. 2017 §3 Exh. A(part), 1989; Ord. 1872 §1(part), 1987; Ord. 1781 §1(part), 1986).

17.30.040 Temporary uses. The following uses are permitted in the RC zone on a temporary basis not to exceed twelve months, the duration of a building permit, or the provisions of this title, whichever is shortest:

A. Continued use of an existing building during construction of a new or replacement building on the subject property;

B. Temporary use of a mobile home in conformance with Section 17.04.130;

C. Temporary storage of contractors' equipment during construction of new structures on-site. (Ord. 2320 §3 Exh. A(part), 1993; Ord. 1781 §1(part), 1986).

17.30.050 Accessory uses. The following accessory uses consistent with the definition in Chapter 17.06 are permitted in the RC zone:

A. Swimming pool, located not closer than ten feet to any property line or within the front setback;

B. Fences, walls;

C. Usual and customary accessory structures and uses associated with a permitted or conditional use;

D. Signs in conformance with Chapter 17.72;

E. Usual and customary accessory structures and uses associated with a residence. (Ord. 2320 §3 Exh. A(part), 1993; Ord. 1781 §1(part), 1986).

17.30.060 Performance standards. In the RC zone, the following performance standards shall apply in addition to any other standards in this title:

A. The parking standards of Chapter 17.70;

B. A minimum area equal to five percent of the land area devoted to structures and parking shall be planted with new landscaping. Landscaping shall be installed prior to use or occupancy, and shall be maintained in a vigorous and healthy condition in perpetuity;

C. Siting of the structures, and location of trees shall be undertaken with care to ensure that shadows do not block solar energy collection devices on adjoining parcels;

D. Development in the RC zone shall conform to the standards of the noise element of the general plan for average and maximum noise levels;

E. Solid screening shall be provided around the perimeter of any outdoor storage area related to any business or service;

F. Designated solid waste storage areas and recycling access areas shall be provided and paved in conformance with Section 8.12.050 of this code. (Ord. 2402 §3(part), 1994; Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

17.30.070 Site development standards. In the RC zone, the following site development standards apply:

A. Minimum parcel size for new parcels shall be established according to the recommendation of the planning department upon consultation with the environmental health department, based upon an adequate water supply and sewage disposal system, or:

1. With individual well and on-site sewage disposal system: five acres,
2. With public water and on-site sewage disposal system: one acre,
3. With public water and public sewage disposal: twenty thousand square feet;

B. Maximum density:

1. For residential uses:
 - a. With individual well and on-site sewage disposal system, one dwelling per five acres,
 - b. With public water and on-site sewage disposal system, one dwelling per one acre,
 - c. With public water and public sewage disposal, one dwelling per twenty thousand square feet,
2. For commercial use: density is the same as lot coverage;

C. Maximum lot coverage:

1. Residential: fifty percent,
2. Commercial: one hundred percent less setback landscaping and septic tank requirements;

D. Maximum building height: thirty-five feet;

E. Lot width:

1. Average: one hundred feet,
2. At the road: seventy-five feet;

F. Lot depth:

1. Average: one hundred fifty feet,
2. Minimum: one hundred feet;

G. Minimum building setbacks:

1. For purposes of this chapter the following shall apply:

- a. Front, thirty feet from the property line, or sixty feet from the centerline of the road right-of-way or easement, whichever distance is greater,

- b. Corner, or lots with multiple lot lines fronting roads, same distance as front for all property lines fronting road rights-of-way or easements,
- c. Side, ten feet,
- d. Rear, twenty feet,
- e. Between buildings, twenty feet or the requirements of the responsible fire protection agency, whichever is greater,
- f. Vision clearance, thirty-five feet,

2. In addition to the setbacks specified in subsection (G)(1) of this section, minimum building setbacks shall meet the requirements of Section 8.10.120 in order to achieve defensible space, which requires a thirty-foot setback from all property lines and/or center of the road for parcels one acre or larger, and the same practical effect shall be provided for parcels less than one acre. Procedures for exceptions to these standards shall comply with Sections 8.10.150 and 8.10.190. (Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

Chapter 17.32

RURAL HOME INDUSTRY (RM) ZONE*

Sections:

- 17.32.010 Purpose.
- 17.32.015 Definitions.
- 17.32.020 Permitted uses.
- 17.32.030 Conditional uses.
- 17.32.035 Hazardous or toxic materials.
- 17.32.040 Temporary uses.
- 17.32.050 Accessory uses.
- 17.32.060 Performance standards.
- 17.32.070 Site development standards.

17.32.010 Purpose. Rural home industries are small-scale industries which are secondary to the principal residential use of the property. These industries may process, fabricate or manufacture goods or commodities, but not those which are hazardous or produce excessive noise, dust or traffic. RM zones may be considered on parcels where

* Prior ordinance history: Chapter 17.32 was renumbered by Ord. 1810. Provisions of Chapter 17.32 were formerly codified at Chapter 17.38 deriving from Ord. 1686.

the consistent residential zone is A1, AP, GF, TP, RA or RR. No RM zone shall be approved without a finding that the use is compatible with neighboring properties. (Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

17.32.015 Definitions. For definitions of terms and uses refer to Chapter 17.06. (Ord. 2320 §3 Exh. A(part), 1993).

17.32.020 Permitted uses. The following uses are permitted in the RM zones:

- A. Accepted farming practices;
- B. Accepted timber practices;
- C. Single-family residence, one per permitted general plan density;
- D. Garage or carport;
- E. Family day care home pursuant to state licensing requirements;
- F. Group care home of six or fewer clients pursuant to Health and Safety Code Section 1501 subject to review for overconcentration pursuant to Health and Safety Code Section 1520.5;
- G. Golf course, driving range;
- H. Ambulance services;
- I. Upon findings by the planning commission that a use is consistent with the purposes of this chapter, the use may be added to this section, provided that the commission concurrently initiates a change in this chapter for inclusion of the use. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 2320 §3 Exh. A(part), 1993: Ord. 1872 §2(part), 1987; Ord. 1781 §1(part), 1986).

17.32.030 Conditional uses. The following uses are permitted in the RM zone upon approval and validation of a conditional use permit:

- A. Rural home industry in conformance with Section 17.32.010, the use permit shall be for a specific industry;
- B. Accessory dwelling, pursuant to the provisions of Chapter 17.66;
- C. Commercial agriculture;
- D. Upon findings by the planning commission that a use is consistent with the purposes of this chapter, the use may be added to this section, provided that the commission concurrently initiates a change in this chapter for inclusion of the use. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 2320 §3 Exh. A(part), 1993: Ord. 1872 §1(part), 1987; Ord. 1781 §1(part), 1986).

17.32.035 Hazardous or toxic materials. Prior to a change of use, issuance of a business license, or issuance of a building permit, whichever occurs first, a project proponent shall submit to the county health officer or his designee a list or plan of all substances to be used or produced by the proposed business. The health officer shall review the plan or list to determine if the type, method of use or quantity of the substance(s) is such that there may be a significant effect on the environment associated with the substances. If there is a significant effect, the health officer shall notify the planning director. (Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

17.32.040 Temporary uses. The following uses are permitted in the RM zone on a temporary basis not to exceed twelve months, the duration of a building permit, or the provisions of this title, whichever is shortest:

A. Continued use of an existing building during construction of a new building on the subject property;

B. Temporary use of a mobile home in conformance with Section 17.04.130;

C. Temporary storage of contractors' equipment during construction of new structures on-site. (Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

17.32.050 Accessory uses. The following accessory uses consistent with the definitions in Chapter 17.06 are permitted in the RM zone:

A. Swimming pool located not closer than twenty feet to any property line or within the front setback;

B. Fences, walls;

C. Business in the home in conformance with Chapter 17.68;

D. Signs in conformance with Chapter 17.72;

E. Usual and customary accessory structures and uses associated with a residence. (Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

17.32.060 Performance standards. In the RM zone, the following performance standards shall apply in addition to any other standards in this title:

A. The parking standards of Chapter 17.70;

B. Exterior lighting shall be shielded and directed in such a manner that it does not directly shine into adjoining residences;

C. Operation of the rural home industry shall not become the cause of repeated and legitimate complaints con-

cerning noise, dust, odor, traffic volume or composition, or number of employees;

D. Siting of structures and location of new trees shall be undertaken with care to ensure that shadows do not block solar energy collection devices on adjoining parcels;

E. The paving of driveways and parking areas serving rural home industries located below the three thousand foot elevation shall be at the discretion of the planning commission or local fire protection agency on the basis of projected traffic generation. Above the three thousand foot elevation, driveways serving the rural home industry structures shall be paved;

F. No rural home industry shall be approved without meeting the requirements of the responsible fire protection agency;

G. At the discretion of the planning commission, based on existing land use and the proposed rural home industry, fences or landscaped screening may be required as a condition of permit approval;

H. Noise levels generated by the rural home industry shall not exceed 60 Ldn as measured at the adjoining residentially zoned property;

I. If the road from which the rural home industry is not a publicly maintained road, the permit holder shall join an existing road maintenance entity or form a new road maintenance entity to the satisfaction of the planning director;

J. No rural home industry use shall commence unless or until the permit holder establishes a primary, permanent, full-time residence upon the same assessor parcel as the rural home industry. (Ord. 2320 §3 Exh. A(part), 1993; Ord. 1872 §2(part), 1987; Ord. 1781 §1(part), 1986).

17.32.070 Site development standards. In the RM zone, the following site development standards apply:

A. Minimum parcel size for new parcels:

1. With individual well and on-site sewage disposal system: The standards of the general plan, or five acres, whichever is larger,

2. With public water and on-site sewage disposal system: The standards of the general plan, or five acres, whichever is larger,

3. With public water and public sewage disposal: The standards of the general plan, or five acres, whichever is larger;

B. Maximum density:

1. With individual well and on-site sewage disposal system: one dwelling per five acres, or the standards of the general plan, whichever is stricter,

2. With public water and on-site sewage disposal system: one dwelling per five acres, or the standards of the general plan, whichever is stricter,

3. With public water and public sewage disposal: one dwelling per five acres, or the standards of the general plan, whichever is stricter;

C. Maximum lot coverage: twenty-five percent;

D. Maximum building height: thirty-five feet;

E. Lot width:

1. Average: two hundred feet, or

2. At the road: one hundred feet;

F. Lot depth:

1. Average: no requirements,

2. Minimum: one hundred feet;

G. Minimum building setbacks:

1. For purposes of this chapter the following shall apply to residential structures:

a. Front, twenty feet from the property line, or fifty feet from the centerline of the road right-of-way or easement, whichever distance is greater,

b. Corner, or lots with multiple lot lines fronting roads, same distance as front for all property lines fronting road rights-of-way or easements,

c. Side, ten feet,

d. Rear, twenty feet,

e. Between buildings, ten feet or the requirements of the responsible fire protection agency, whichever is greater,

f. Vision clearance: thirty-five feet,

2. Minimum building setbacks for rural home industry structures:

a. Front, fifty feet from the property line, or one hundred feet from the centerline of the road right-of-way or easement, whichever distance is greater,

b. Corner, or lots with multiple lot lines fronting roads, same distance as front for all property lines fronting road rights-of-way or easements,

c. Side, thirty feet,

d. Rear, fifty feet,

e. Between buildings: twenty feet or the requirements of the responsible fire protection agency, whichever is greater,

f. Vision clearance, thirty-five feet,

3. In addition to the setbacks specified in subsection (G)(1) of this section, minimum building setbacks shall meet the requirements of Section 8.10.120 in order to achieve defensible space which requires a thirty-foot setback from all property lines and/or center of the road for parcels one acre or larger and the same practical effect shall be provided for parcels less than one acre. Proce-

dures for exceptions to these standards shall comply with Sections 8.10.150 and 8.10.190. (Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

Chapter 17.34

LOCAL COMMERCIAL (C1) ZONE*

Sections:

- 17.34.010 Purpose.
- 17.34.015 Definitions.
- 17.34.020 Permitted uses.
- 17.34.030 Conditional uses.
- 17.34.040 Temporary uses.
- 17.34.050 Accessory uses.
- 17.34.060 Performance standards.
- 17.34.070 Site development standards.

17.34.010 Purpose. The purpose of the C1 zone is to provide areas for small-scale retail and service businesses that meet the needs of local community areas and are located in close proximity to residential neighborhoods. The C1 zone is the commercial zone considered best suited to serve single-family neighborhoods. (Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

17.34.015 Definitions. For definitions of terms and uses, refer to Chapter 17.06. (Ord. 2320 §3 Exh. A(part), 1993).

17.34.020 Permitted uses. The following uses are permitted in the C1 zone:

A. Retail uses:

1. Antique shop,
2. Appliance store,
3. Arts and crafts store,
4. Automotive and vehicle business parts and tools,
5. Bait shop,
6. Bakery,
7. Bicycle shop, sales, rental, service, repair,
8. Bookstore,
9. Candy store,
10. Catering service,

* Prior ordinance history: Chapter 17.34 was renumbered by Ord. 1810. Provisions of Chapter 17.34 were formerly codified at Chapter 17.32 deriving from Ords. 945 and 1115.

- 11. Christmas tree sales lots as a temporary use,
- 12. Clothing store,
- 13. Computer hardware, software, sales, rental,
service,
- 14. Cosmetic sales, studio,
- 15. Drug store,
- 16. Florist,
- 17. Garden shop,
- 18. Gift shop,
- 19. Grocery store, food product sales,
- 20. Hardware store,
- 21. Hobby shop,
- 22. Household equipment, sales, service, rental,
- 23. Liquor store,
- 24. Nursery,
- 25. Pet shop,
- 26. Photography equipment, supplies,
- 27. Restaurant, without a separate bar area,
- 28. Secondhand store,
- 29. Shoe stores,
- 30. Ski equipment sales, rental, service,
- 31. Sporting goods,
- 32. Stereo and audio equipment sales, rental, ser-
vice,
- 33. Variety store,
- 34. Video equipment, sales, rental, service,
- 35. Feed stores;

B. Service businesses:

- 1. Bank, savings and loan, financial institution,
mortgage broker,
- 2. Barber shop, beauty salon, hair-styling studio,
- 3. Consumer service,
- 4. Dry cleaning,
- 5. Health spa, including hot tub rentals, exercise
equipment facilities, workout rooms,
- 6. Laundromat,
- 7. Locksmith,
- 8. Personal service business,
- 9. Photographer, studio,
- 10. Tailor,
- 11. Taxidermist,
- 12. Furniture upholstery repair;

C. Administrative and professional offices:

- 1. Administrative offices,
- 2. Clinic,
- 3. Library,
- 4. Medical practices office,
- 5. Professional office,
- 6. Radio or television broadcasting studios and
offices,
- 7. Real estate office,

- 8. Public agency and utility office,
- 9. Veterinarian clinic, with hospitalization, but without overnight boarding;
- D. Public assembly, meetings, accommodations:
 - 1. Bed and breakfast inn,
 - 2. Church, or other place of worship,
 - 3. Community hall,
 - 4. Daycare of preschool children, no limitation on number of students,
 - 5. Garage or carport,
 - 6. Golf course, driving range,
 - 7. Group care home pursuant to California Health and Safety Code Section 1501,
 - 8. Museum,
 - 9. Park, playground, picnic area, rest area,
 - 10. Parking lot,
 - 11. Post office,
 - 12. School,
 - 13. Tennis club, racquetball club,
 - 14. Ambulance services;
- E. Accepted farming practices;
- F. The planning director may determine that commercial uses similar to the uses enumerated in this section are consistent with this section;
- G. Residential uses subordinate to a principal permitted use. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 2320 §3 Exh. A(part), 1993; Ord. 2017 §3 Exh. A(part), 1989; Ord. 1872 §1(part), 1987; Ord. 1781 §1(part), 1986).

17.34.030 Conditional uses. The following uses are permitted in the C1 zone upon approval and validation of a conditional use permit:

- A. Retail uses:
 - 1. Bar, tavern, cocktail lounge,
 - 2. Minimart with gas pumps,
 - 3. Retail sales other than those enumerated in this section,
 - 4. Gun shop/gunsmith;
- B. Service businesses:
 - 1. Auto upholstery repair,
 - 2. Funeral home,
 - 3. Warehouse,
 - 4. Crematory, funeral and interment services;
- C. Administrative and professional offices:
 - 1. Veterinarian clinic with overnight boarding facilities;
- D. Public assembly, meetings, accommodations:
 - 1. Circus, carnival, concert or entertainment event of more than one thousand persons,

2. Convalescent hospital,
3. Country club,
4. Grange hall,
5. Motel, hotel,
6. Videogame arcade;
- E. Residential uses:
 1. Single-family dwelling, one per permitted general plan density,
 2. Garage or carport;
- F. Commercial agriculture;
- G. The planning director may determine that commercial uses similar to the uses enumerated in this section are consistent with this section. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 2320 §3 Exh. A(part), 1993; Ord. 2017 §3 Exh. A(part), 1989; Ord. 1872 §1(part), 1987; Ord. 1781 §1(part), 1986).

17.34.040 Temporary uses. The following uses are permitted in the C1 zone on a temporary basis not to exceed twelve months, the duration of a building permit, or the provisions of this title, whichever is shortest:

- A. Continued use of an existing building during construction of a new or replacement building on the subject property;
- B. Temporary use of a mobile home in conformance with Section 17.04.130;
- C. Temporary storage of contractors' equipment during construction of new structures on-site. (Ord. 2320 §3 Exh. A(part), 1993; Ord. 1781 §1(part), 1986).

17.34.050 Accessory uses. The following accessory uses consistent with the definitions in Chapter 17.06 are permitted in the C1 zone:

- A. Swimming pool located not closer than ten feet to any property line or within the front setback for residential use;
- B. Fences, walls;
- C. Usual and customary accessory uses and structures associated with permitted and conditional uses;
- D. Signs in conformance with Chapter 17.72. (Ord. 2320 §3 Exh. A(part), 1993; Ord. 1781 §1(part), 1986).

17.34.060 Performance standards. In the C1 zone, the following performance standards shall apply in addition to any other standards in this title:

- A. The parking standards of Chapter 17.70;
- B. A minimum area equal to five percent of the land area devoted to structures and parking shall be planted with new landscaping. Landscaping shall be installed prior to use or occupancy, and shall be maintained in a vigorous and healthy condition in perpetuity;

C. When a C1 zone adjoins an R1 zone, and the R1 zone is developed before the commercial parcel, the developer of the C1 parcel shall include a landscaped screen and fence combination on the property line between the commercial site and the residence. The standards of this section shall also apply when the rear of a commercial structure will face a parcel with R1 zoning;

D. Exterior lighting shall be shielded and directed in such a manner that it does not directly shine into adjoining residences;

E. Siting of structures and location of trees shall be undertaken with care to ensure that shadows do not block solar energy collection devices on adjoining parcels;

F. Development in the C1 zone shall conform to the standards of the noise element of the general plan for average and maximum noise levels;

G. All business, services and processes, except outdoor dining areas, nurseries, produce sales, and Christmas tree lots, shall be conducted entirely within a building;

H. Designated solid waste storage areas and recycling access areas shall be provided and paved in conformance with Section 8.12.050 of this code. (Ord. 2402 §3(part), 1994; Ord. 2320 §3 Exh. A(part), 1993; Ord. 1781 §1(part), 1986).

17.34.070 Site development standards. In the C1 zone, the following site development standards apply:

A. Minimum parcel size for new parcels shall be established according to the recommendations of the planning department upon consultation with the environmental health department, based upon an adequate water supply and sewage disposal system, or:

1. With individual well and on-site sewage disposal system: five acres,

2. With public water and on-site sewage disposal system: one acre,

3. With public water and public sewage disposal: seven thousand square feet;

B. Maximum density:

1. For residential uses:

a. With individual well and on-site sewage disposal system, or one dwelling per five acres,

b. With public water and on-site sewage disposal system, or one dwelling per one acre,

c. With public water and public sewage disposal: one dwelling per seven thousand square feet;

2. For commercial uses: density is the same as lot coverage;

C. Maximum lot coverage:

1. Residential: fifty percent,

2. Commercial: one hundred percent less setback, landscaping, and septic requirements;

- D. Maximum building height: thirty-five feet;
- E. Lot width:
 - 1. Average: seventy-five feet,
 - 2. At the road: sixty feet;
- F. Lot depth:
 - 1. Average: one hundred feet,
 - 2. Minimum: seventy-five feet;
- G. Minimum building setbacks:
 - 1. For purposes of this chapter the following shall apply:
 - a. Front, zero feet from the property line, or thirty feet from the centerline of the road right-of-way or easement, whichever distance is greater,
 - b. Corner, or lots with multiple lot lines fronting roads, same distance as front for all property lines fronting road rights-of-way or easements,

c. Side, no requirement when adjoining commercial zones (RC, C1, CP, C2), five feet when adjoining any other zone,

d. Rear, zero feet, or twenty feet when adjoining a residential zone (R1, R2, R3, and RR),

e. Between buildings, ten feet or the requirements of the responsible fire protection agency, whichever is greater,

f. Vision clearance, thirty-five feet,

2. In addition to the setbacks specified in subsection (G)(1) of this section, minimum building setbacks shall meet the requirements of Section 8.10.120 in order to achieve defensible space, which requires a thirty-foot setback from all property lines and/or center of the road for parcels one acre or larger, and the same practical effect shall be provided for parcels less than one acre. Procedures for exceptions to these standards shall comply with Sections 8.10.150 and 8.10.190. (Ord. 2320 §3 Exh. A(part), 1993; Ord. 2017 §3, Exh. A(part), 1989; Ord. 1781 §1(part), 1986).

Chapter 17.36

GENERAL COMMERCIAL (C2) ZONE*

Sections:

- 17.36.010 Purpose.
- 17.36.015 Definitions.
- 17.36.020 Permitted uses.
- 17.36.030 Conditional uses.
- 17.36.040 Temporary uses.
- 17.36.050 Accessory uses.
- 17.36.060 Performance standards.
- 17.36.070 Site development standards.

17.36.010 Purpose. The purpose of the C2 zone is to provide lands for intensive and general commercial use. (Ord. 2320 §3 Exh. A(part), 1993; Ord. 1781 §1(part), 1986).

17.36.015 Definitions. For definitions of terms and uses refer to Chapter 17.06. (Ord. 2320 §3 Exh. A(part), 1993).

* Prior ordinance history: Chapter 17.36 was renumbered by Ord. 1810. Provisions of Chapter 17.36 were formerly codified at Chapter 17.34 deriving from Ords. 945, 1115, 1461, 1581 and 1717.

17.36.020 Permitted uses. The following uses are permitted in the C2 zone:

A. Retail uses:

1. Agriculture equipment sales, rental, service,
2. Agriculture product sales,
3. Antique shop,
4. Appliance store,
5. Arts and crafts store,
6. Automotive and vehicle business:
 - a. Body shop,
 - b. Carwash,
 - c. Gas station,
 - d. Machine shop,
 - e. Painting,
 - f. Parts and tools, sales and rental,
 - g. Repair, maintenance, service,
 - h. Rental,
 - i. Sales,
 - j. Tire sales, repair, installation, service,
 - k. Upholstery,
7. Bait shop,
8. Bakery,
9. Bar, tavern, cocktail lounge,
10. Bicycle shop, sales, rental, service, repair,
11. Boat and marine uses:
 - a. Repair, service,
 - b. Sales, rental,
 - c. Accessories,
12. Bookstore,
13. Candy store,
14. Canvas article assembly, sales, repair,
15. Catering service,
16. Clothing store,
17. Computer hardware, software, sales, rental,
service,
18. Cosmetic sales, studio,
19. Department store,
20. Drugstore,
21. Electrical equipment, materials, part sales,
22. Electronic equipment sales,
23. Florist,
24. Food product sales, grocery store,
25. Furniture store,
26. Garden shop,
27. Gift shop,
28. Glass products, sales, service, installation,
29. Hardware store,
30. Hobby shop,
31. Household equipment, sales, service, rental,
32. Liquor store,
33. Lumberyard, door and trim shop,
34. Machinery sales,
35. Masonry product sales,

- 36. Nursery,
- 37. Pet shop,
- 38. Photography equipment, supplies,
- 39. Recreation vehicle uses:
 - a. Sales,
 - b. Rental,
 - c. Repair, service,
 - d. Accessory sales,
- 40. Rental equipment agency,
- 41. Restaurant,
- 42. Secondhand store,
- 43. Shoe store,
- 44. Ski equipment sales, rental, service,
- 45. Sporting goods,
- 46. Stereo and audio equipment sales, rental, service,
- 47. Variety store,
- 48. Video equipment, sales, rental, service,
- 49. Feed store;
- B. Service businesses:
 - 1. Agriculture product storage,
 - 2. Bank, savings and loan, financial institution, mortgage broker,
 - 3. Barber shop, beauty salon, hair-styling studio,
 - 4. Consumer service,
 - 5. Dry cleaning store,
 - 6. Frozen food locker,
 - 7. Funeral home,
 - 8. Gun shop/gunsmith,
 - 9. Health spa, including hot tub rentals, exercise equipment facilities, workout rooms,
 - 10. Laundromat,
 - 11. Locksmith,
 - 12. Machinery repair,
 - 13. Mini-storage warehouse,
 - 14. Personal service business,
 - 15. Photographer, studio,
 - 16. Pool, billiards facility, sales, rental,
 - 17. Printing, publishing,
 - 18. Recycling centers for paper, cans, and glass,
 - 19. Service shop,
 - 20. Tailor,
 - 21. Taxidermist,
 - 22. Upholstery repair related to furniture and not vehicles,
 - 23. Woodyard,
 - 24. Warehousing;
- C. Administrative and professional offices:
 - 1. Administrative offices,
 - 2. Clinic,
 - 3. Public agency and utility uses,

- 4. Hospital,
- 5. Laboratory, not handling toxic or hazardous substances,
- 6. Library,
- 7. Medical practices office,
- 8. Professional office,
- 9. Radio or television broadcasting studios and offices,
- 10. Real estate office,
- 11. Veterinarian clinic, without overnight commercial boarding;

D. Public assembly, meetings, accommodations:

- 1. Bed and breakfast inn,
- 2. Bowling alley,
- 3. Church, or other place of worship,
- 4. Community hall,
- 5. Conference center,
- 6. Country club,
- 7. Day care center, with no limit on the number of children,
- 8. Garage, carport,
- 9. Golf course, driving range,
- 10. Grange hall,
- 11. Group care home pursuant to California Health and Safety Code Section 1501,
- 12. Hotel,
- 13. Library,
- 14. Marina,
- 15. Motel,
- 16. Museum,
- 17. Park, playground, picnic area, rest area,
- 18. Parking lot,
- 19. Post office,
- 20. School,
- 21. Skating rink,
- 22. Stadium,
- 23. Tennis club, racquetball club,
- 24. Videogame arcade,
- 25. Ambulance services;

E. Processing and assembly uses:

- 1. Agriculture product processing, canning,
- 2. Bakery products processing, baking, manufacturing,
- 3. Beverage, food, distribution,
- 4. Electronic component assembly,
- 5. Stone and monument sales, works;

F. Accepted farming practices;

G. The planning director may determine that commercial uses similar to the uses enumerated in this section may be found to be consistent with this section;

H. Residential uses subordinate to a principal permitted use. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 2320 §3 Exh. A(part), 1993; Ord. 2017 §3 Exh. A(part), 1989; Ord. 1872 §1(part), 1987; Ord. 1781 §1(part), 1986).

17.36.030 Conditional uses. The following uses are permitted in the C2 zone upon approval and validation of a conditional use permit:

- A. Retail uses:
 - 1. Adult business as defined in Section 17.06.0110,
 - 2. Retail sales other than those enumerated in Section 17.36.020,
 - 3. Cardroom or gaming establishment;
- B. Service businesses:
 - 1. Billboard,
 - 2. Cabinet shop contained within a building,
 - 3. Contractor equipment yard,
 - 4. Truck terminal,
 - 5. Crematory, funeral and interment services;
- C. Public assembly, meetings, accommodations:
 - 1. Airport,
 - 2. Circus, carnival, concert or entertainment event of more than one thousand persons,
 - 3. Heliport;
- D. Residential uses:
 - 1. Single-family dwelling, one per permitted general plan density,
 - 2. Duplex, one two-unit structure per permitted general plan density,
 - 3. Multiple-family residential, one unit per permitted general plan density,
 - 4. Time-sharing land use, one unit per permitted general plan density,
 - 5. Garage or carport;
- E. Commercial agriculture;
- F. The planning director may determine that commercial uses similar to uses enumerated in this section are consistent with this section. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 2320 §3 Exh. A(part), 1993; Ord. 2017 §3 Exh. A(part), 1989; Ord. 1872 §§1(part), 3(part), 1987; Ord. 1781 §1(part), 1986).

17.36.040 Temporary uses. The following uses are permitted in the C2 zone on a temporary basis not to exceed twelve months, the duration of a building permit, or the provisions of this title, whichever is shortest:

- A. Continued use of an existing building during construction of a new or replacement building on the subject property;

B. Temporary use of a mobile home in conformance with Section 17.04.130;

C. Temporary storage of contractors' equipment during construction of new structures on-site. (Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

17.36.050 Accessory uses. The following accessory uses consistent with the definitions in Chapter 17.06 are permitted in the C2 zone:

A. Swimming pool located not closer than ten feet to any property line or within the front setback;

B. Fences, walls;

C. Usual and customary accessory structures and uses associated with a permitted or conditional use;

D. Signs in conformance with Chapter 17.72. (Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

17.36.060 Performance standards. In the C2 zone, the following performance standards shall apply in addition to any other standards in this title:

A. The parking standards of Chapter 17.70;

B. A minimum area equal to five percent of the land area devoted to structures and parking shall be planted with new landscaping. Landscaping shall be installed prior to use or occupancy, and shall be maintained in a vigorous and healthy condition in perpetuity;

C. When a C2 zone adjoins an R1 zone, and the R1 zone is developed before the commercial parcel, the developer of the C2 parcel shall include a landscaped screen and fence combination on the property line between the commercial site and the residence. The standards of this section shall also apply when the rear of a commercial structure will face a parcel with R1 zoning;

D. Exterior lighting shall be shielded and directed in such a manner that it does not directly shine into adjoining residences;

E. Siting of structures and location of trees shall be undertaken with care to ensure that shadows do not block solar energy collection devices on adjoining parcels;

F. Development in the C2 zone shall conform to the standards of the noise element of the general plan for average and maximum noise levels;

G. Solid screening shall be provided around the perimeter of any outdoor storage area related to any business or service;

H. Designated solid waste storage areas and recycling access areas shall be provided and paved in conformance with Section 8.12.050 of this code. (Ord. 2402 §3(part), 1994; Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

17.36.070 Site development standards. In the C2 zone, the following site development standards apply:

A. Minimum parcel size for new parcels shall be established according to the recommendations of the planning department upon consultation with the environmental health department, based upon an adequate water supply and sewage disposal system, or:

1. With individual well and on-site sewage disposal system: five acres,
2. With public water and on-site sewage disposal system: one acre,
3. With public water and public sewage disposal: seven thousand square feet;

B. Maximum density:

1. For residential uses:
 - a. With individual well and on-site sewage disposal system, one dwelling per five acres,
 - b. With public water and on-site sewage disposal system, one dwelling per one acre,
 - c. With public water and public sewage disposal: one dwelling per seven thousand square feet,
2. For commercial uses: density is the same as lot coverage;

C. Maximum lot coverage:

1. Residential: thirty-five percent,
2. Commercial: one hundred percent less setback, landscaping and septic requirements;

D. Maximum building height: forty-five feet;

E. Lot width:

1. Average: seventy-five feet,
2. At the road: sixty feet;

F. Lot depth:

1. Average: one hundred feet,
2. Minimum: seventy-five feet;

G. Minimum building setbacks:

1. For purposes of this chapter, the following shall apply:
 - a. Front, zero feet from the property line, or thirty feet from the centerline of the road right-of-way or easement, whichever distance is greater,
 - b. Corner, or lots with multiple lot lines fronting roads, same distance as front for all property lines fronting road rights-of-way or easements,
 - c. Side, no requirement, when adjoining commercial zones (RC, C1, CP, C2), five feet when adjoining any other zone,
 - d. Rear, zero feet, or twenty feet when adjoining a residential zone (R1, R2, R3, and RR),
 - e. Between buildings, ten feet or the requirements of the responsible fire protection agency whichever is greater,

f. Vision clearance, thirty-five feet;

2. In addition to the setbacks specified in subsection (G)(1) of this section, minimum building setbacks shall meet the requirements of Section 8.10.120 in order to achieve defensible space, which requires a thirty-foot setback from all property lines and/or center of the road for parcels one acre or larger, and same practical effect shall be provided for parcels less than one acre. Procedures for exceptions to these standards shall comply with Sections 8.10.150 and 8.10.190. (Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

Chapter 17.38

PROFESSIONAL OFFICES (CP) ZONE*

Sections:

- 17.38.010 Purpose.
- 17.38.015 Definitions.
- 17.38.020 Permitted uses.
- 17.38.030 Conditional uses.
- 17.38.040 Temporary uses.
- 17.38.050 Accessory uses.
- 17.38.060 Performance standards.
- 17.38.070 Site development standards.

17.38.010 Purpose. The CP zone is intended to provide locations for professional offices, administrative offices and conditionally permitted residential complexes in a compatible environment. (Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

17.38.015 Definitions. For definitions of terms and uses refer to Chapter 17.06. (Ord. 2320 §3 Exh. A(part), 1993).

17.38.020 Permitted uses. The following uses are permitted in the CP zone:

- A. Medical offices, clinics, hospitals;
- B. Professional offices;

* Prior ordinance history: Chapter 17.38 was renumbered by Ord. 1810. Provisions of Chapter 17.38 were formerly codified at Chapter 17.35 deriving from Ords. 1460 and 1624.

- C. Administrative offices;
- D. Public agency offices;
- E. Church or other place of worship;
- F. Accepted farming practices;
- G. Parking lot, garage, carport;
- H. Golf course, driving range;
- I. The planning director may determine that commercial uses similar to uses enumerated in this section are consistent with this section;
- J. Ambulance services;
- K. Banks and savings and loans;
- L. Residential uses subordinate to a principal permitted use. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 2320 §3 Exh. A(part), 1993; Ord. 2017 §3 Exh. A(part), 1989; Ord. 1872 §1(part), 1987; Ord. 1781 §1(part), 1986).

17.38.030 Conditional uses. The following uses are permitted in the CP zone upon approval and validation of a conditional use permit:

- A. Residential uses:
 - 1. Multiple-family dwellings,
 - 2. Two-family dwellings (duplex),
 - 3. Single-family dwellings,
 - 4. Group care homes pursuant to California Health and Safety Code Section 1501,
 - 5. Day care center,
 - 6. Garage or carport;
- B. Consumer services:
 - 1. Veterinary clinic without outdoor kennels,
 - 2. Bank, savings and loan, or retail financial institution, not including mortgage company offices or loan company offices, which are permitted uses,
 - 3. Private conference facility or center;
- C. Public services:
 - 1. Museum,
 - 2. Public agency facility other than offices, excepting landfills, septage waste disposal sites, and incinerators,
 - 3. School;
- D. Retail uses which primarily serve the uses in Sections 17.38.020 and 17.38.030;
- E. Commercial agriculture;
- F. The planning director may determine that commercial uses which are similar to uses enumerated in this section are consistent with this section. (Ord. 2320 §3 Exh. A(part), 1993; Ord. 2017 §3 Exh. A(part), 1989; Ord. 1872 §1(part), 1987; Ord. 1781 §1(part), 1986).

17.38.040 Temporary uses. The following uses are permitted in the CP zone on a temporary basis not to exceed twelve months, the duration of a building permit, or the provisions of this title, whichever is shortest:

A. Continued use of an existing building during construction of a new or replacement building on the subject property;

B. Temporary use of a mobile home in conformance with Section 17.04.130;

C. Temporary storage of contractors' equipment during construction of new structures on-site. (Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

17.38.050 Accessory uses. The following accessory uses consistent with the definition in Chapter 17.06 are permitted in the CP zone:

A. Residential garages and/or carports with a residence for which a permit has been issued;

B. Swimming pool located not closer than ten feet to any property line or within the front setback;

C. Fences, walls;

D. Usual and customary accessory structures and uses associated with a permitted or conditional use;

E. Signs in conformance with Chapter 17.72. (Ord. 2576 §2(part), 1999; Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

17.38.060 Performance standards. In the CP zone, the following performance standards shall apply in addition to any other standards in this title:

A. The parking standards of Chapter 17.70;

B. A minimum area equal to five percent of the land area devoted to structures and parking shall be planted with new landscaping. Landscaping shall be installed prior to use or occupancy, and shall be maintained in a vigorous and healthy condition in perpetuity;

C. When a CP zone adjoins an R1 zone, and the R1 zone is developed before the commercial parcel, the developer of the CP parcel shall include a landscaped screen and fence combination on the property line between the commercial site and the residence. The standards of this section shall apply when the rear of a commercial structure will face a parcel with R1 zoning;

D. Exterior lighting shall be shielded and directed in such a manner that it does not directly shine into adjoining residences;

E. Siting of structures and location of trees shall be undertaken with care to ensure that shadows do not block solar energy collection devices on adjoining parcels;

F. Development in the CP zone shall conform with the standards of the noise element of the general plan for maximum and average noise levels;

G. All businesses, services and processes shall be conducted entirely within a building;

H. Designated solid waste storage areas and recycling access areas shall be provided and paved in conformance with Section 8.12.050 of this code. (Ord. 2402 §3(part), 1994; Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

17.38.070 Site development standards. In the CP zone, the following site development standards apply:

A. Minimum parcel size for new parcels shall be established according to the recommendations of the planning department upon consultation with the environmental health department, based upon an adequate water supply and sewage disposal system, or:

1. With individual well and on-site sewage disposal system: five acres,

2. With public water and on-site sewage disposal system: one acre,

3. With public water and public sewage disposal: seven thousand square feet;

B. Maximum density:

1. For residential uses:

a. With individual well and on-site sewage disposal system, one dwelling per five acres,

b. With public water and on-site sewage disposal system, one dwelling per one acre,

c. With public water and public sewage disposal: one dwelling per seven thousand square feet for single-family, and one dwelling per three thousand five hundred square feet for multi-family,

2. For commercial uses: density is the same as lot coverage;

C. Maximum lot coverage:

1. Residential:

a. Single-family: fifty percent,

b. Multi-family: seventy-five percent,

2. Commercial: one hundred percent less setback, landscaping and septic requirements;

D. Maximum building height: thirty-five feet;

E. Lot width:

1. Average: seventy-five feet,

2. At the road: sixty feet;

F. Lot depth:

1. Average: one hundred feet,

2. Minimum: seventy-five feet;

G. Minimum building setbacks:

1. For purposes of this chapter the following shall apply:

a. Front, zero feet from the property line, or thirty feet from the centerline of the road right-of-way or easement, whichever distance is greater,

b. Corner, or lots with multiple lot lines fronting roads, same distance as front for all property lines fronting road rights-of-way or easements,

c. Side, no requirement when adjoining commercial zones (RC, C1, CP, C2), five feet when adjoining any other zone,

d. Rear, zero feet, or twenty feet when adjoining a residential zone (R1, R2, R3, and RR),

e. Between buildings, ten feet or the requirements of the responsible fire protection agency, whichever is greater,

f. Vision clearance, thirty-five feet,

2. In addition to the setbacks specified in subsection (G)(1) of this section, minimum building setbacks shall meet the requirements of Section 8.10.120 in order to achieve defensible space, which requires a thirty-foot setback from all property lines and/or center of the road for parcels one acre or larger, and the same practical effect shall be provided for parcels less than one acre. Procedures for exceptions to these standards shall comply with Sections 8.10.150 and 8.10.190. (Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

Chapter 17.40

LIGHT INDUSTRIAL (M1) ZONE*

Sections:

- 17.40.010 Purpose.
- 17.40.015 Definitions.
- 17.40.020 Permitted uses.
- 17.40.030 Conditional uses.
- 17.40.035 Hazardous or toxic materials.
- 17.40.040 Temporary uses.
- 17.40.050 Accessory uses.
- 17.40.060 Performance standards.
- 17.40.070 Site development standards.

17.40.010 Purpose. The M1 zone is intended to provide locations for diverse industrial uses in proximity to commercial and residential areas. Industrial uses in the M1 zone should not be obnoxious by reason of smoke, noise, odor, dust or similar objectionable effects. (Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

17.40.015 Definitions. For definitions of terms and uses, refer to Chapter 17.06. (Ord. 2320 §3 Exh. A(part), 1993).

17.40.020 Permitted uses. The following uses are permitted in the M1 zone:

A. Manufacturing:

1. Agriculture product processing, canning,
2. Bakery products processing, baking, manufactur-
- ing,
3. Beverage, food, distribution,
4. Bottling plant,
5. Bottle manufacturing,
6. Confection manufacturing,
7. Coffin manufacturing,
8. Concrete mixing and batch plant, ready-mix,
9. Contractor equipment yard,
10. Creamery,
11. Dry cleaning plant,
12. Electronic component assembly,
13. Electronic component manufacturing,
14. Engine part manufacturing,
15. Food product manufacturing, processing, can-
- ning,

* Chapter 17.40 was renumbered by Ord. 1810. Provisions of Chapter 17.40 were formerly codified at Chapter 17.36 deriving from Ords. 945, 1237 and 1581.

- 16. Glass manufacturing,
 - 17. Machine shop,
 - 18. Metal processing, stamping, manufacturing,
 - 19. Printing, publishing,
 - 20. Power generation,
 - 21. Tire retreading,
 - 22. Stone and monument manufacturing, sales,
- works,
- 23. Nursery, greenhouse;
- B. Service businesses:
 - 1. Agriculture product storage,
 - 2. Frozen food locker,
 - 3. Kennel, commercial,
 - 4. Machinery repair,
 - 5. Truck terminal,
 - 6. Warehouse,
 - 7. Woodyard,
 - 8. Ministorage warehouse;
 - C. Retail uses:
 - 1. Agriculture equipment sales, rental, service,
 - 2. Agriculture product sales,
 - 3. Automotive and vehicle business:
 - a. Body shop,
 - b. Machine shop,
 - c. Painting,
 - d. Repair, maintenance, service,
 - e. Tire sales, repair, installation, service,
 - f. Upholstery,
 - 4. Boat repair, service,
 - 5. Canvas article assembly, sales, repair,
 - 6. Catering service,
 - 7. Electrical equipment, materials, part sales,
 - 8. Glass products, sales, service, installation,
 - 9. Lumberyard, door and trim shop, mill work,
 - 10. Masonry product sales,
 - 11. Recreation vehicle repair, service,
 - 12. Rental equipment agency,
 - 13. Feed stores;
 - D. Public:
 - 1. Garage or carport,
 - 2. Golf course, driving range,
 - 3. Public agency facilities, excluding those uses enumerated in Section 17.40.030(C):
 - a. Offices,
 - b. Storage yards,
 - 4. Public utility buildings, substations, structures, facilities, telecommunications transmitters and antennae,
 - 5. Waste disposal facilities other than landfills or seepage disposal sites:

a. Recycling centers for paper, cans and glass,
b. Transfer stations for municipal refuse as defined in the Calaveras County solid waste management plan,

6. Ambulance services;

E. Accepted farming practices;

F. Residential structure for plant security personnel only, including a mobile home in conformance with Chapter 17.55;

G. The planning director may determine that industrial uses similar to the uses enumerated in this section are consistent with this section. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 2320 §3 Exh. A(part), 1993; Ord. 1887 §1, 1987; Ord. 1872 §1(part), 1987; Ord. 1781 §1(part), 1986).

17.40.030 Conditional uses. The following uses are permitted in the M1 zone upon approval and validation of a conditional use permit:

A. Manufacturing:

1. Building material manufacturing, processing,
2. Lumbermill, sawmill,
3. Mineral extraction, processing, milling,
4. Petrochemical storage,
5. Plastic assembly, processing,
6. Salvage yard,
7. Septage waste disposal;

B. Commercial agriculture;

C. Public:

1. Class II or Class III landfill,
2. Sewage treatment facility,
3. Sewage disposal facility,
4. Septage disposal facility;

D. The planning director may determine that industrial uses similar to the uses enumerated in this section are consistent with this section. (Ord. 2320 §3 Exh. A(part), 1993; Ord. 1887 §2, 1987; Ord. 1872 §§1(part), 3(part), 1987; Ord. 1781 §1(part), 1986).

17.40.035 Hazardous or toxic materials. Prior to a change of use, issuance of a business license, or issuance of a building permit, whichever occurs first, a project proponent shall submit to the county health officer or his designee, a list or plan of all substances to be used or produced by the proposed business. The health officer shall review the plan or list to determine if the type, method of use, or quantity of the substance(s) is such that there may be a significant effect on the environment associated with the substances. If there is a significant effect, the health officer shall notify the planning director. Such uses shall require approval and validation of a

conditional use permit, regardless of whether the use is prescribed as a permitted or conditional use in this chapter. (Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

17.40.040 Temporary uses. The following uses are permitted in the M1 zone on a temporary basis not to exceed twelve months, the duration of a building permit, or the provisions of this title, whichever is shortest:

A. Continued use of an existing building during construction of a new or replacement building on the subject property;

B. Temporary use of a mobile home for security purposes, pursuant to Section 17.04.130;

C. Temporary storage of contractors' equipment during construction of new structures on-site. (Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

17.40.050 Accessory uses. The following accessory uses consistent with the definition in Chapter 17.06 are permitted in the M1 zone:

A. Fences, walls;

B. Signs in conformance with Chapter 17.72;

C. Usual and customary accessory structures and uses associated with a permitted or conditional use. (Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

17.40.060 Performance standards. In the M1 zone, the following performance standards shall apply in addition to any other standards in this title:

A. The parking standards of Chapter 17.70;

B. A minimum area equal to five percent of the land area devoted to structures and parking shall be planted with new landscaping. Landscaping shall be installed prior to use or occupancy, and shall be maintained in a vigorous and healthy condition;

C. Exterior lighting shall be shielded and directed in such a manner that it does not directly shine into adjoining residences;

D. Siting of structures and location of trees shall be undertaken with care to ensure that shadows do not block solar energy collection devices on adjoining parcels;

E. When a development agreement has been executed for the subject property, the provisions of that agreement shall take precedence over the performance standards of this section;

F. Development in the M1 zone shall conform to the standards of the noise element of the general plan for average and maximum noise levels;

G. Solid screening shall be provided around the perimeter of any outdoor storage area related to any business or service;

H. Designated solid waste storage areas and recycling access areas shall be provided and paved in conformance with Section 8.12.050 of this code. (Ord. 2402 §3(part), 1994; Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

17.40.070 Site development standards. In the M1 zone, the following site development standards apply:

A. Minimum parcel size for new parcels shall be established according to the recommendations of the planning

department upon consultation with the environmental health department based upon an adequate water supply and sewage disposal system or:

1. With individual well and on-site sewage disposal system: five acres,
2. With public water and on-site sewage disposal system: one acre,
3. With public water and public sewage disposal: ten thousand square feet;

B. Maximum density:

1. For residential plant security structure: one dwelling per parcel,
2. For industrial uses: density is the same as lot coverage;

C. Maximum lot coverage: one hundred percent, less setback, landscaping and septic requirements;

D. Maximum building height: forty-five feet;

E. Lot width:

1. Average: seventy-five feet,
2. At the road: seventy-five feet;

F. Lot depth:

1. Average: one hundred feet,
2. Minimum: seventy-five feet;

G. Minimum building setbacks:

1. For the purposes of this chapter, the following shall apply:

a. Front, thirty feet from property line, or sixty feet from the centerline of the road right-of-way or easement, whichever distance is greater,

b. Corner, or lots with multiple lot lines fronting roads, same distance as front for all property lines fronting road rights-of-way or easements,

c. Side, twenty feet,

d. Rear, thirty feet,

e. Between buildings, twenty feet or the requirements of the responsible fire protection agency, whichever is greater,

f. Vision clearance, thirty-five feet;

2. In addition to the setbacks specified in subsection (G)(1) of this section, minimum building setbacks shall meet the requirements of Section 8.10.120 in order to achieve defensible space which requires a thirty-foot setback from all property lines and/or center of the road for parcels one acre or larger and the same practical effect shall be provided for parcels less than one acre. Procedures for exceptions to these standards shall comply with Sections 8.10.150 and 8.10.190. (Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

Chapter 17.42GENERAL INDUSTRIAL (M2) ZONE*Sections:

- 17.42.010 Purpose.
- 17.42.015 Definitions.
- 17.42.020 Permitted uses.
- 17.42.030 Conditional uses.
- 17.42.035 Hazardous or toxic materials.
- 17.42.040 Temporary uses.
- 17.42.050 Accessory uses.
- 17.42.060 Performance standards.
- 17.42.070 Site development standards.

17.42.010 Purpose. The M2 zone is intended to provide areas for general industrial land use. (Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

17.42.015 Definitions. For definitions of terms and uses, refer to Chapter 17.06. (Ord. 2320 §3 Exh. A(part), 1993).

17.42.020 Permitted uses. The following uses are permitted in the M2 zone:

A. All uses enumerated in Sections 17.40.020 and 17.40.030 except for any use enumerated in Section 17.42.030;

B. Public:

1. Public agency facilities, excluding those uses, enumerated in Section 17.42.030(B):

- a. Offices,
- b. Storage yards;

2. Public utility buildings, substations, structures, facilities, telecommunications transmitters and antennae,

3. Waste disposal facilities other than landfills or septic disposal sites:

- a. Recycling centers for paper, cans and glass,
- b. Transfer stations for municipal refuse as defined in the Calaveras County solid waste management plan,

* Chapter 17.42 was renumbered and by Ord. 1810. Provisions of Chapter 17.42 were formerly codified at Chapter 17.37 deriving from Ords. 945, 1237, 1686 and 1717.

4. Ambulance services;

C. The planning director may determine that industrial uses similar to the uses enumerated in this section are consistent with this section. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 2320 §3 Exh. A(part), 1993; Ord. 1887 §3 1987; Ord. 1781 §1(part), 1986).

17.42.030 Conditional uses. The following uses are permitted in the M2 zone upon approval and validation of a conditional use permit:

A. Manufacturing:

1. Acid manufacturing, processing,
2. Billboard,
3. Bone distillation,
4. Chemical manufacturing, processing utilizing hazardous or toxic materials,
5. Compressed gas manufacturing,
6. Cosmetic manufacturing,
7. Dead animal reduction,
8. Fertilizer manufacturing,
9. Fungicide manufacturing, processing, packaging,
10. Glue manufacturing,
11. Hide processing,
12. Insecticide manufacturing,
13. Junkyard,
14. Paint manufacturing, processing, packaging,
15. Petrochemical drilling, manufacturing, processing, packaging,
16. Plastic manufacturing,
17. Rubber manufacturing,
18. Salvage yard,
19. Septage waste disposal;

B. Public:

1. Class II or Class III landfill,
2. Sewage treatment facility,
3. Sewage disposal facility,
4. Transfer stations for other than municipal refuse,
5. Recycling centers handling materials other than those identified in Section 17.42.020(B) (3);

C. Commercial agriculture;

D. Mineral extraction and production;

E. The planning director may determine that industrial uses similar to the uses in this section are consistent with this section. (Ord. 2320 §3 Exh. A(part), 1993; Ord. 2017 §3 Exh. A(part), 1989; Ord. 1887 §4, 1987; Ord. 1872 §1(part), 1987; Ord. 1781 §1(part), 1986).

17.42.035 Hazardous or toxic materials. Prior to a change of use, issuance of a business license, or issuance

of a building permit, whichever occurs first, a project proponent shall submit to the county health officer or his designee a list or plan of all substances to be used or produced by the proposed business. The health officer shall review the plan or list to determine if the type, method of use or quantity of substance(s) is such that there may be a significant effect on the environment asso-

ciated with the substances. If there is a significant effect, the health officer shall notify the planning director. Such uses shall require approval and validation of a conditional use permit, regardless of whether the use is prescribed as a permitted or conditional use in this chapter. (Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

17.42.040 Temporary uses. The following uses are permitted in the M2 zone on a temporary basis not to exceed twelve months, the duration of a building permit, or the provisions of this title, whichever is shortest:

A. Continued use of an existing building during construction of a new or replacement building on the subject property;

B. Temporary use of a mobile home for security purposes, pursuant to Section 17.04.130;

C. Temporary storage of contractors' equipment during construction of new structures on-site. (Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

17.42.050 Accessory uses. The following accessory uses consistent with the definitions in Chapter 17.06 are permitted in the M2 zone:

A. Fences, walls;

B. Signs in conformance with Chapter 17.72;

C. Usual and customary accessory structures and uses associated with a permitted or conditional use. (Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

17.42.060 Performance standards. In the M2 zone, the following performance standards shall apply in addition to any other standards in this title:

A. The parking standards of Chapter 17.70;

B. A minimum area equal to five percent of the land area devoted to structures and parking shall be planted with new landscaping. Landscaping shall be installed prior to use or occupancy, and shall be maintained in a vigorous and healthy condition;

C. Exterior lighting shall be shielded and directed in such a manner that it does not directly shine into adjoining residences;

D. Siting of structures and location of trees shall be undertaken with care to ensure that shadows do not block solar energy collection devices on adjoining parcels;

E. When a development agreement has been executed for the subject property, the provisions of that agreement shall take precedence over the performance standards of this section;

F. Development in the M2 zone shall conform to the standards of the noise element of the general plan for average and maximum noise levels;

G. Solid screening shall be provided around the perimeter of any outdoor storage area related to any business or service;

H. Designated solid waste storage areas and recycling access areas shall be provided and paved in conformance with Section 8.12.050 of this code. (Ord. 2402 §3(part), 1994; Ord. 2320 §3 Exh. A(part), 1993; Ord. 1781 §1(part), 1986).

17.42.070 Site development standards. In the M2 zone, the following site development standards apply:

A. Minimum parcel size for new parcels shall be established according to the recommendations of the planning department upon consultation with the environmental health department based on an adequate water supply and sewage disposal system prior to submittal of the tentative map application, or:

1. With individual well and on-site sewage disposal system: five acres,

2. With public water and on-site sewage disposal system: one acre,

3. With public water and public sewage disposal: ten thousand square feet;

B. Maximum density:

1. For residential plant security structure: one dwelling per parcel,

2. For industrial uses: density is the same as lot coverage;

C. Maximum lot coverage: one hundred percent, less setbacks, landscaping, and septic requirements;

D. Maximum building height: forty-five feet;

E. Lot width:

1. Average: seventy-five feet,

2. At the road: seventy-five feet;

F. Lot depth:

1. Average: one hundred feet,

2. Minimum: seventy-five feet;

G. Minimum building setbacks:

1. For purposes of this chapter, the following shall apply:

a. Front, thirty feet from the property line, or sixty feet from the centerline of the road right-of-way or easement, whichever distance is greater,

b. Corner, or lots with multiple lot lines fronting roads, same distance as front for all property lines fronting road rights-of-way or easements,

c. Side, twenty feet,

d. Rear, thirty feet,

e. Between buildings, twenty feet or the requirements of the responsible fire protection agency, whichever is greater,

f. Vision clearance, thirty-five feet;

2. In addition to the setbacks specified in subsection (G)(1) of this section, minimum building setbacks shall meet the requirements of Section 8.10.120 in order to achieve defensible space which requires a thirty-foot setback from all property lines and/or center of the road for parcels one acre or larger, and the same practical effect shall be provided for parcels less than one acre. Procedures for exceptions to these standards shall comply with Sections 8.10.150 and 8.10.190. (Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

Chapter 17.44

BUSINESS PARK (M4) ZONE*

Sections:

- 17.44.010 Purpose.
- 17.44.015 Definitions.
- 17.44.020 Permitted uses.
- 17.44.030 Conditional uses.
- 17.44.035 Hazardous or toxic materials.
- 17.44.040 Temporary uses.
- 17.44.050 Accessory uses.
- 17.44.060 Performance standards.
- 17.44.070 Site development standards.

17.44.010 Purpose. The M4 zone is intended to provide a zone for a comprehensive employment-generating development. The M4 zone is designed to accommodate a master-planned, or development-agreement-based business park that centers around basic employment-generating businesses and accessory and support services. The M4 zone is intended to provide area for commerce and industry in community centers, community and special plan areas, and the prime industrial corridor. (Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

17.44.015 Definitions. For definitions of terms and uses, refer to Chapter 17.06. (Ord. 2320 §3 Exh. A(part), 1993).

* Prior ordinance history: Chapter 17.44 was renumbered by Ord. 1810. Provisions of Chapter 17.44 were formerly codified at Chapter 17.39 deriving from Ord. 1686.

17.44.020 Permitted uses. The following uses are permitted in the M4 zone:

- A. All uses enumerated in Chapters 17.30, 17.34, 17.36, 17.38 and 17.40, except any use enumerated in Sections 17.40.030 and 17.44.030;
- B. Service businesses:
 - 1. Truck terminal,
 - 2. Warehouse;
- C. Administrative and professional offices:
 - 1. Administrative offices,
 - 2. Clinic,
 - 3. Daycare center, with no limit on the number of children,
 - 4. Hospital,
 - 5. Laboratory, not handling toxic or hazardous substances,
 - 6. Medical practices office,
 - 7. Professional office,
 - 8. Radio or television broadcasting studios and offices,
 - 9. Veterinarian clinic, with overnight commercial boarding,
 - 10. Public agency and utility offices;
- D. Public assembly, meetings, accommodations:
 - 1. Golf course, driving range,
 - 2. Fitness center,
 - 3. Garage, carport,
 - 4. Ambulance services;
- E. Manufacturing:
 - 1. Agriculture product processing, canning,
 - 2. Beverage, food, distribution,
 - 3. Bottling plant,
 - 4. Confection manufacturing,
 - 5. Coffin manufacturing,
 - 6. Cosmetic manufacturing,
 - 7. Creamery,
 - 8. Electronic component assembly,
 - 9. Electronic component manufacturing,
 - 10. Engine part manufacturing,
 - 11. Food product manufacturing, processing, canning,
 - 12. Machine shop,
 - 13. Metal processing, stamping, manufacturing,
 - 14. Printing, publishing;
- F. Commercial agriculture;
- G. The planning director may determine that industrial uses similar to the uses enumerated in this section are consistent with this section. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 2320 §3 Exh. A(part), 1993: Ord. 1872 §1(part), 1987; Ord. 1781 §1(part), 1986).

17.44.030 Conditional uses. The following uses are permitted in the M4 zone upon approval and validation of a conditional use permit:

- A. All uses enumerated in Chapters 17.36 and 17.40;
- B. Public assembly, meetings, accommodations:
 - 1. Airport,
 - 2. Heliport;
- C. Manufacturing:
 - 1. Chemical manufacturing, processing utilizing nonhazardous or toxic materials,
 - 2. Chemical manufacturing, processing utilizing hazardous and toxic materials,

3. Compressed gas manufacturing, packaging, processing,
4. Fertilizer manufacturing, processing, packaging,
5. Fungicide manufacturing, processing, packaging,
6. Glass manufacturing,
7. Paint manufacturing, processing, packaging,
8. Power generation;
- D. Commercial agriculture;
- E. The planning director may determine that industrial uses similar to the uses enumerated in this section are consistent with this section. (Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

17.44.035 Hazardous or toxic materials. Prior to a change of use, issuance of a business license, or issuance of a building permit, whichever occurs first, a project proponent shall submit to the county health officer, or his designee, a list or plan of all substances to be used or produced by the proposed business. The health officer shall review the plan or list to determine if the type, method of use or quantity of the substance(s) is such that there may be a significant effect on the environment associated with the substances. If there is a significant effect, the health officer shall notify the planning director. Such uses shall require approval and validation of a conditional use permit, regardless of whether the use is prescribed as a permitted or conditional use in this chapter. (Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

17.44.040 Temporary uses. The following uses are permitted in the M4 zone on a temporary basis, not to exceed twelve months, the duration of a building permit, or the provisions of this title, whichever is shortest:

- A. Continued use of an existing building during construction of a new or replacement building on the subject property;
- B. Temporary use of a mobile home in conformance with Section 17.04.130 when used for security purposes;
- C. Temporary storage of contractors' equipment during construction of new structures on-site;
- D. Leasing or sales office in a mobile home not on a permanent foundation;
- E. Other temporary uses if found by the planning director to be consistent with the provision of this title. (Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

17.44.050 Accessory uses. The following accessory uses consistent with the definitions in Chapter 17.06 are permitted in the M4 zone:

- A. Fences, walls;

B. Signs in conformance with Chapter 17.72;

C. Usual and customary accessory structures and uses associated with a permitted or conditional use. (Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

17.44.060 Performance standards. In the M4 zone, the following performance standards shall apply, in addition to any other standards in this title:

A. The parking standards of Chapter 17.70;

B. A minimum area equal to five percent of the land area devoted to structures and parking shall be planted with new landscaping; landscaping shall be installed prior to use or occupancy, and shall be maintained in a vigorous and healthy condition in perpetuity;

C. Exterior lighting shall be shielded and directed in such a manner that it does not directly shine into adjoining residences;

D. Siting of structures and location of trees shall be undertaken with care to ensure that shadows do not block solar energy collection devices on adjoining parcels;

E. In the event that there is a development agreement executed for the subject property, the provisions of the agreement shall supercede the requirements of this section;

F. Development in the M4 zone shall conform to the standards established in the noise element of the general plan for average and maximum noise levels;

G. Solid screening shall be provided around the perimeter of any outdoor storage area related to any business or service;

H. Designated solid waste storage areas and recycling access areas shall be provided and paved in conformance with Section 8.12.050 of this code. (Ord. 2402 §3(part), 1994; Ord. 2320 §3 Exh. A(part), 1993: Ord. 1781 §1(part), 1986).

17.44.070 Site development standards. In the M4 zone, the following site development standards apply:

A. Minimum acreage for M4 zoning: five acres is found to be the minimum acreage necessary to develop a business park meeting the purpose of the M4 zone;

B. Once M4 zoning is obtained, minimum parcel size for new parcels shall be established according to the recommendations of the planning department upon consultation with the environmental health department based upon an adequate water supply and sewage disposal system prior to submittal of the tentative map application, or:

1. With individual well and on-site sewage disposal system: five acres,

2. With public water and on-site sewage disposal system: one acre,

3. With public water and public sewage disposal: ten thousand square feet,

4. For office or industrial condominiums or planned unit developments, the standards of the planned development zone are automatically incorporated into this chapter without the requirement for rezoning into the PD combining district;

C. Maximum density: density is the same as lot coverage;

D. Maximum lot coverage: one hundred percent less setback, landscaping, and septic requirements;

E. Maximum building height: forty-five feet;

F. Lot width:

1. Average: seventy-five feet,

2. At the road: one hundred feet;

G. Lot depth:

1. Average: one hundred-fifty feet,

2. Minimum: one hundred feet;

H. Minimum building setbacks:

1. Perimeter project boundaries: thirty feet from the property line or seventy feet from the centerline of any road, whichever is greater,

2. For purposes of this chapter, the following shall apply to other than perimeter boundaries:

a. Front, fifty feet from the property line, or seventy feet from the centerline of the road right-of-way or easement, whichever distance is greater,

b. Corner, or lots with multiple lot lines fronting roads, same distance as front for all property lines fronting road rights-of-way or easements,

c. Side, twenty feet,

d. Rear, twenty feet,

e. Between buildings, twenty feet or the requirements of the responsible fire protection agency, whichever is greater,

f. Vision clearance, thirty-five feet,

g. For planned developments, planned unit developments, office condominiums or industrial condominiums, the setback requirements are as shown on the approved plot plan;

3. In addition to the setbacks specified in subsection (H)(2) of this section, minimum building setbacks shall meet the requirements of Section 8.10.120 in order to achieve defensible space, which requires a thirty-foot setback from all property lines and/or center of the road for parcels one acre or larger and same practical effect shall be provided for parcels less than one acre. Procedures for exceptions to these standards shall comply with Sections 8.10.150 and 8.10.190. (Ord. 2405 Exh. A(part), 1994; Ord. 2320 §3 Exh. A(part), 1993; Ord. 1781 §1(part), 1986).

Chapter 17.46

RECREATION (REC) ZONE*

Sections:

- 17.46.010 Purpose.
- 17.46.020 Permitted uses.
- 17.46.030 Conditional uses.
- 17.46.040 Temporary uses.
- 17.46.050 Accessory uses.
- 17.46.060 Performance standards.
- 17.46.070 Site development standards.
- 17.46.080 Planned recreation development.

17.46.010 Purpose. The recreation district is intended to serve as a zone for local and visitor-oriented recreation activities. Lands in the REC zone are not intended for general commercial or indirect recreationally oriented commercial land uses. Uses in the REC zone shall provide location-specific recreation activities, or shall provide support services for destination recreation resources located in the immediate area, pursuant to the policies of the general plan. (Ord. 1780 §1(part), 1986).

17.46.020 Permitted uses. The following uses are permitted in the REC zone:

- A. Single-family residential, one dwelling per permitted general plan density;
- B. Picnic area, parks, playground;
- C. Subdivision common area;
- D. Recreation center;
- E. Riding, hiking trails for pedestrian or equestrian use;
- F. Water skiing facilities, water slide;
- G. Marina, including sales of fuel and oil for boats;
- H. Fishing, hunting preserve;
- I. Golf course, miniature golf course, driving range, pro shop as part of a golf course use, concession stand as part of one of these uses;
- J. Tennis, swimming, racquet ball, health club;
- K. Fish hatchery;
- L. Timesharing land use with a maximum density of twelve units per acre based on method of sewage disposal and in conformance with the requirements of Section 17.04.200;

* Prior ordinance history: Chapter 17.46 was renumbered by Ord. 1810. Provisions of Chapter 17.46 were formerly codified at Chapter 17.40 deriving from Ords. 945, 1115, 1349, 1373, 1461 and 1603.

- M. Retreat;
- N. Accepted farming practices;
- O. Ambulance services;

P. Upon findings by the planning commission that a use is consistent with the purposes of this chapter, the use may be added to this section, provided that the commission concurrently initiates a change in this chapter for inclusion of the use. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 2345 §3 Exh. A(part), 1993; Ord. 1872 §1(part), 1987; Ord. 1780 §1(part), 1986).

17.46.030 Conditional uses. A. To approve a conditional use permit, the planning commission or, upon appeal, the board of supervisors shall make all of the following findings:

1. The proposed use is consistent with the purpose of the REC zone and the general plan;
2. The proposed use is consistent with existing and potential adjoining land use;
3. The proposed land use shall be developed in such a manner that it shall not detract from the scenic values of the recreation property and adjoining parcels;
4. The proposed use shall either:
 - a. Provide support for an existing destination recreation activity located on the subject property, or
 - b. Provide support for an existing primary recreation activity located in close proximity to the subject property;
5. In addition to the above mentioned findings, the findings required in Chapter 17.82 shall also be substantiated.

B. The following uses are permitted in the REC zone upon approval and validation of a conditional use permit:

1. Campground for tents or recreation vehicles, or both;
2. Hotel, motel, lodge, bed and breakfast inn;
3. Multiple-family residential dwellings per permitted general plan density;
4. Church or other place of worship;
5. Museum;
6. Snow skiing facilities;
7. Other commercial amusement use;
8. Restaurant as part of a permitted or conditional use;
9. All other forms of recreation not enumerated in this chapter;
10. Bait shop, concession stand, as part of a permitted or conditional use;
11. Forest station, fire station, lookout tower;
12. Commercial agriculture;
13. Parking lot;

14. Circus, carnival, concert or entertainment event of more than one thousand persons;

15. Upon findings by the planning commission that a use is consistent with the purposes of this chapter, the use may be added to this section, provided that the commission concurrently initiates a change in this chapter for inclusion of the use. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 2017 §3 Exh. A(part), 1989; Ord. 1872 §1(part), 1987; Ord. 1780 §1(part), 1986).

17.46.040 Temporary uses. The following uses are permitted in the REC zone on a temporary basis not to exceed twelve months, the duration of a building permit or the provisions of this title, whichever is shortest:

A. Continued use of an existing building during construction of a new building on the same site;

B. Temporary use of a mobile home pursuant to Section 17.04.130;

C. Temporary storage of contractor's equipment specifically used on the subject property for construction on-site. (Ord. 1780 §1(part), 1986).

17.46.050 Accessory uses. The following accessory uses consistent with the definition in Chapter 17.06 are permitted in the REC zone:

A. Residential garages and/or carports;

B. Swimming pool located not closer than ten feet from any property line or within the front setback;

C. Fences, walls;

D. Signs in compliance with Chapter 17.72;

E. Usual and customary accessory buildings associated with residential development;

F. Private kennel as an accessory use to a single-family dwelling. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 2576 §2(part), 1999; Ord. 1780 §1(part), 1986).

17.46.060 Performance standards. In the REC zone the following performance standards shall apply in addition to any other revisions of this title:

A. All new development shall include a minimum landscaped area equal to ten percent of the land area disturbed by the construction of buildings and parking/access areas. Landscaping planted shall be indigenous to the general area, and shall be maintained in a vigorous and healthy condition in perpetuity. All landscaping shall be installed prior to use or occupancy of the project, or there shall be adequate improvement security deposited with the county prior to use or occupancy.

B. The parking requirements of Chapter 17.70 shall be satisfied. (Ord. 1780 §1(part), 1986).

17.46.070 Site development standards. In the REC zone, the following site development standards apply:

A. Minimum parcel size for new parcels:

1. For all new parcels no matter what the source of water or method of sewage disposal: five acres;

B. Maximum density:

1. For single-family residences: one dwelling per five acres,

2. For time-sharing land uses and multiple-family residential:

a. With well and on-site sewage disposal: three units per five acres,

b. With public water supply and on-site sewage disposal: six units per one acre,

c. With public water supply and public sewage system: twelve units per one acre;

C. Maximum lot coverage: thirty-five percent;

D. Maximum building height: thirty-five feet;

E. Minimum lot width: two hundred feet;

F. Minimum lot depth: two hundred feet;

G. Minimum building setbacks:

1. For purposes of this chapter the following shall apply:

a. Front, thirty feet from the property line, or sixty feet from the centerline of the road right-of-way or easement, whichever distance is greater,

b. Corner, or lots with multiple lot lines fronting roads, same distance as front for all property lines fronting road rights-of-way or easements,

c. Side, ten feet,

d. Rear, twenty feet,

e. Between buildings, ten feet, or the requirements of the responsible fire agency, whichever is greater,

f. Vision clearance: thirty-five feet;

2. In addition to the setbacks specified in subsection (G)(1) of this section, minimum building setbacks shall meet the requirements of Section 8.10.120 in order to achieve defensible space, which requires a thirty-foot setback from all property lines and/or center of the road for parcels one acre or larger, and same practical effect shall be provided for parcels less than one acre. Procedures for exceptions to these standards shall comply with Sections 8.10.150 and 8.10.190. (Ord. 2345 §3 Exh. A(part), 1993; Ord. 1780 §1(part), 1986).

17.46.080 Planned recreation development. Recreation projects which are to be developed over a period of more than eighteen months may be master planned with the approval of a planned development permit pursuant to Chapter 17.50. (Ord. 1780 §1(part), 1986).

Chapter 17.48

PUBLIC SERVICE (PS) ZONE*

Sections:

- 17.48.010 Purpose.
- 17.48.020 Permitted uses.
- 17.48.030 Conditional uses.
- 17.48.040 Temporary uses.
- 17.48.050 Accessory uses.
- 17.48.060 Performance standards.
- 17.48.070 Site development standards.

17.48.010 Purpose. The purpose of the PS zone is to classify lands that are used for public purposes, public utilities, and for public agencies. (Ord. 1781 §1(part), 1986).

17.48.020 Permitted uses. The following uses are permitted in the PS zone:

A. All public uses, buildings, facilities, structures, offices, maintenance yards or storage facilities, provided that there are no toxic or hazardous materials stored at the site, and except those enumerated in Section 17.48.030 of this chapter;

B. Residence for security personnel;

C. Accepted farming practices;

D. Upon findings by the planning commission that a use is consistent with the purposes of this chapter, the use may be added to this section, provided that the commission concurrently initiates a change in this chapter for inclusion of the use. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 2405 Exh. A(part), 1994; Ord. 2017 §3 Exh. A(part), 1989; Ord. 1872 §1(part), 1987; Ord. 1781 §1(part), 1986).

17.48.030 Conditional uses. The following uses are permitted in the PS zone upon approval and validation of a conditional use permit:

A. Hydroelectric power generation projects by public or private entities;

B. Sanitary and septage waste disposal facilities;

C. Class II or Class III landfills;

* Prior ordinance history: Chapter 17.48 was renumbered by Ord. 1810. Provisions of Chapter 17.48 were formerly codified at Chapter 17.42 deriving from Ord. 945.

D. Temporary employee housing, except for one mobile home for security purposes;

E. Public or private entity facilities which involve the storage, handling, or use of toxic or hazardous materials;

F. Telecommunication transmitters, antennae, if located in an area where there are not any other antennae or transmitters within one thousand feet of the proposed site;

G. Fire protection facilities;

H. Correction or prison facilities;

I. Animal shelters;

J. Commercial agriculture;

K. Upon findings by the planning commission that a use is consistent with the purposes of this chapter, the use may be added to this section, provided that the commission concurrently initiates a change in this chapter for inclusion of the use;

L. Ambulance services. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 1872 §1(part), 1987; Ord. 1781 §1(part), 1986).

17.48.040 Temporary uses. The following uses are permitted in the PS zone on a temporary basis not to exceed twelve months, the duration of a building permit, or the provisions of this title, whichever is shortest:

A. Continued use of an existing building during construction of a new building on the subject property;

B. Temporary storage of a contractor's equipment during construction of new structures on-site. (Ord. 1781 §1(part), 1986).

17.48.050 Accessory uses. The following accessory uses consistent with the definition in Chapter 17.06 are permitted in the PS zone:

- A. Fences, walls;
- B. Signs in conformance with Chapter 17.72;
- C. Usual and customary accessory structures and uses associated with a permitted or conditional use. (Ord. 1781 §1(part), 1986).

17.48.060 Performance standards. In the PS zone, the following performance standards shall apply in addition to any other standards in this title:

- A. The parking standards of Chapter 17.70;
- B. A minimum area equal to five percent of the land area devoted to structures and parking shall be planted with new landscaping. Landscaping shall be installed prior to use or occupancy, and shall be maintained in a vigorous and healthy condition in perpetuity;
- C. When a PS zone adjoins an R1 zone, and the R1 zone is developed before the public service parcel, the developer of the PS parcel shall include a landscaped screen and fence combination on the property line between the commercial site and the residence;
- D. Exterior lighting shall be shielded and directed in such a manner that it does not directly shine into adjoining residences;
- E. Siting of structures and location of trees shall be undertaken with care to ensure that shadows do not block solar energy collection devices on adjoining parcels;
- F. Development in the PS zone shall conform to the standards of the noise element of the general plan for average and maximum noise levels. (Ord. 1781 §1(part), 1986).

17.48.070 Site development standards. In the PS zone, the following site development standards apply:

- A. Minimum parcel size for new parcels:
 - 1. With individual well and on-site sewage disposal system: no requirements,
 - 2. With public water and on-site sewage disposal system: no requirements,
 - 3. With public water and public sewage disposal: no requirements;
- B. Maximum density:
 - 1. With individual well and on-site sewage disposal system: no requirements,
 - 2. With public water and on-site sewage disposal system: no requirements,

3. With public water and public sewage disposal: no requirements;

C. Maximum lot coverage: ninety-five percent;

D. Maximum building height: no requirements;

E. Lot width: no requirements;

F. Lot depth: no requirements;

G. Minimum building setbacks:

1. For purposes of this chapter the following shall apply:

a. Front, twenty feet from the property line, or fifty feet from the centerline of the road right-of-way or easement, whichever distance is greater,

b. Corner, or lots with multiple lot lines fronting roads, same distance as front for all property lines fronting road rights-of-way or easements,

c. Side, ten feet,

d. Rear, twenty feet,

e. Between buildings, ten feet, or the requirements of the responsible fire agency, whichever is greater,

f. Vision clearance: thirty-five feet, .

2. In addition to the setbacks specified in subsection (G)(1) of this section, minimum building setbacks shall meet the requirements of Section 8.10.120 in order to achieve defensible space, which requires a thirty-foot setback from all property lines and/or center of the road for parcels one acre or larger, and same practical effect shall be provided for parcels less than one acre. Procedures for exceptions to these standards shall comply with Sections 8.10.150 and 8.10.190. (Ord. 2345 §3 Exh. A(part), 1993; Ord. 1781 §1(part), 1986).

SUBTITLE III. COMBINING DISTRICTS

Chapters:

- 17.49 Specified Hazardous Waste Facilities (SHWF) Combining Zone
- 17.50 Planned Development (PD) Combining Zone
- 17.52 Design Review (DR) Combining Zone
- 17.54 Mobile Home (MH) Combining Zone
- 17.56 Mining Operation (ME) Zone
- 17.58 Environmental Protection (EP) Combining Zone
- 17.59 Off-Site Parking (PX) Combining District
- 17.60 Airport Overflight and Noise Impact (AO) Combining Zone
- 17.62 Airport Height Limitation

Chapter 17.49SPECIFIED HAZARDOUS WASTE FACILITIES (SHWF) COMBINING ZONESections:

- 17.49.010 Purpose.
- 17.49.020 Designated areas.
- 17.49.030 Consistency.
- 17.49.040 Development standards.

17.49.010 Purpose. The specified hazardous waste facilities (SHWF) combining zone is created to incorporate the siting requirements contained in the Calaveras County hazardous waste management plan and to protect the public health, safety and welfare. (Ord. 2126 §2(part), 1990).

17.49.020 Designated areas. Treatment, storage or disposal facilities (TSDF) may be permitted only in the areas designated on "Map D, Facility Siting" of the approved county hazardous waste management plan and zoned SHWF. (Ord. 2126 §2(part), 1990).

17.49.030 Consistency. All applicable zoning, subdivision, conditional use permit and variance decisions for hazardous waste facility siting shall be consistent with the siting criteria set forth in the hazardous waste management plan. (Ord. 2126 §2(part), 1990).

17.49.040 Development standards. All transfer, treatment, storage or disposal facilities shall:

- A. Secure a conditional use permit for the proposed facility;
- B. Comply with the requirements of the California Environmental Quality Act (CEQA) of the state and the county;
- C. Comply with Section 17.49.030;
- D. Have a minimum parcel size of forty acres. (Ord. 2126 §2(part), 1990).

Chapter 17.50PLANNED DEVELOPMENT (PD) COMBINING ZONESections:

- 17.50.010 Purpose.
- 17.50.015 Definitions.
- 17.50.020 Permitted uses.

Sections: (Continued)

- 17.50.030 Conditional uses.
- 17.50.040 Subdivisions, condominiums, planned unit development.
- 17.50.050 Exemptions.
- 17.50.060 Performance standards.
- 17.50.070 Site development standards.

17.50.010 Purpose. The purpose of the planned development combining zone are to:

A. Provide flexibility for purposes of density transfer, planned unit development and condominium development;

B. Encourage design innovation and provide more detailed county project review than would otherwise normally be allowed in the base zone, to improve the visual quality of a project and provide more efficient land use, to provide more open space, to protect fragile natural resources, and to develop public services at minimal cost;

C. The intent of this chapter is to regulate site development and aesthetics, not the type of use. Permitted uses are as defined in the base zone. (Ord. 2345 §3 Exh. A(part), 1993; Ord. 1810 §2(part), 1986; Ord. 1287 Exh. A(part), 1980; Ord. 945 §44.01, 1978).

17.50.015 Definitions. For definitions of terms and uses, refer to Section 17.06. (Ord. 2345 §3 Exh. A(part), 1993).

17.50.020 Permitted uses. The land uses permitted within the base zoning district are not affected by the inclusion of the parcel within the planned development combining district. Such uses as specified in the base zoning district are also permitted uses within the planned development combining district. The planning commission shall review and approve the site development plans for all projects in a planned development combining zone, prior to issuance of a building permit or initiation of a land use. Prior to approval, the planning commission shall find that the project satisfies the requirements of Section 17.50.060. (Ord. 2345 §3 Exh. A(part), 1993).

17.50.030 Conditional uses. The land uses conditionally permitted within the base zoning district are not affected by the inclusion of the parcel within the planned development combining district. Such conditional uses as specified in the base zoning district are also allowed within the planned development combining district. The planning commission shall review and approve the site development plans for all projects in a planned development combining zone, as part of the use permit review process. Prior to approval, the planning commission shall find that

the project satisfies the requirements of Section 17.50.060. (Ord. 2345 §3 Exh. A(part), 1993: Ord. 1810 §2(part), 1986; Ord. 1287 Exh. A(part), 1980: Ord. 945 §44.04, 1978).

17.50.040 Subdivisions, condominiums, planned unit development. The planned development combining district is required for all subdivisions, condominiums or planned unit developments in which the use of density transfer, common area or other development flexibility methods create parcels that are smaller than the minimum parcel size permitted by the general plan or applicable community, special or specific plan. The PD combining zone, however, is not required for density transfer in which the minimum parcel created is not less than one acre with public water, nor less than five acres (with individual well), and the density permitted by the applicable plan is not exceeded.

A. Example 1: The general plan density is one dwelling unit per seven thousand square feet; base zone is R1; public sewer and water are available; the parcel size prior to subdivision is twenty acres; the proponent is requesting approval of a tentative tract map with one hundred twenty lots averaging five thousand square feet in size, and a parcel to be owned in common. PD combining zone is required.

B. Example 2: The general plan density is one dwelling unit per five acres; base zone is RR; public water is available; the parcel size prior to subdivision is twenty acres; the proponent is requesting approval of a tentative parcel map with three parcels of one acre each in size, and a fourth parcel of seventeen acres. The PD combining zone is not required. (Ord. 2345 §3 Exh. A(part), 1993: Ord. 1810 §2(part), 1986; Ord. 1287 Exh. A(part), 1980: Ord. 945 §44.04, 1978).

17.50.050 Exemptions. The requirements of this chapter are waived for the following:

A. A change of use that requires a building permit for interior remodeling, and where physical exterior changes are limited to a change of copy to existing signs, painting, or landscaping;

B. Single-family dwellings within a subdivision with the planned development combining zone applied for the purpose of density transfer. (Ord. 2345 §3 Exh. A(part), 1993: Ord. 1810 §2(part), 1986; Ord. 1287 Exh. A(part), 1986; Ord. 1287 Exh. A(part), 1980: Ord. 945 §44.08, 1978).

17.50.060 Performance standards. The following performance standards shall apply to all construction within the planned development combining district for which a permit is required:

A. Landscaping:

1. A minimum area equal to ten percent of the gross disturbed land area (building footprint, excavated area, parking area, sewage disposal area), shall be planted with new landscaping in a manner that improves the visual quality of the project from surrounding parcels and roads. Irrigation systems, including automatic, may be required. The proponent shall sign the landscape plan with a statement that landscaping shall be maintained in a vigorous and healthy condition in perpetuity,

2. A maximum effort shall be made to retain all trees over twelve inches in diameter at breast height on the project site,

3. Projects shall be designed to provide a maximum of vegetative cover between vehicle parking areas and adjacent streets,

4. Cut and fill slopes shall be planted to prevent erosion. Such planting shall not be included in the ten percent landscaping requirements of this section;

B. The design of all structures, fences and signs shall be compatible with the project location and its natural environment, or architectural characteristics as specified in any community plan requirement;

C. Refuse Storage. All refuse collection areas shall be enclosed on all sides unless, by nature of the building design, the trash areas are obscured from the adjacent properties and from vehicular and pedestrian traffic. Refuse enclosures shall be of a six-foot height with adequate access for refuse vehicles;

D. Screening. When a nonresidential or multifamily project is adjacent to residential zoning, a visual screen in the form of a wall, fence or landscaped planting shall be provided between the development and the residential zoning;

E. Signs. The standards of Chapter 17.72 shall apply;

F. Mechanical and Rooftop Devices. With the exception of solar collectors, all rooftop mechanical devices, pipes, vents and fans, shall be screened from view and baffled for sound;

G. Access and vehicle parking shall meet the requirements of Chapter 17.70, plus the following requirements:

1. Parking areas shall be screened from the view of highways and roads and peripheral residential areas to the greatest extent possible,

2. Encroachment location and design, and sight distance, shall meet the requirements of the public works department. (Ord. 2345 §3 Exh. A(part), 1993: Ord. 1810 §2(part), 1986; Ord. 1287 A(part), 1980: Ord. 945 §44.10, 1978).

17.50.070 Site development standards. In the planned development combining zone, in place of the site development standards of a base zone, the following site development standards shall apply:

A. Minimum parcel size for new parcels: no requirements;

B. Maximum density: the requirements of the base zoning district shall apply;

C. Maximum lot coverage: per approved development plan;

D. Maximum building height: the requirements of the base zoning district shall apply;

E. Minimum lot width: no requirements;

F. Minimum lot depth: no requirements;

G. Building setbacks:

1. For purposes of this chapter, the following shall apply:

a. Front: per approved development plan,

b. Corner: per approved development plan,

c. Side: per approved development plan,

d. Rear: per approved development plan,

e. Between buildings: per approved site plan, or the requirements of the responsible fire protection agency,

f. Visual clearance: thirty-five feet;

2. In addition to the setbacks specified in subsection (G)(1), minimum building setbacks shall meet the requirements of Section 8.10.20 in order to achieve defensible space, which requires a thirty-foot setback from all property lines and/or center of the road for parcels one acre or larger, and the same practical effect shall be provided for parcels less than one acre. Procedures for exceptions to these standards shall comply with Sections 8.10.150 and 8.10.190. (Ord. 2345 §3 Exh. A(part), 1993; Ord. 2017 §3, Exh. A(part), 1989; Ord. 1810 §2(part), 1986; Ord. 1287 Exh. A(part), 1980: Ord. 945 §44.12, 1978).

Chapter 17.54MOBILE HOME (MHP) COMBINING ZONE*Sections:

- 17.54.010 Purpose.
- 17.54.020 Permitted uses.
- 17.54.030 Conditional use permit.
- 17.54.040 Temporary uses.
- 17.54.050 Accessory uses.
- 17.54.060 Mobile home park development standards.

17.54.010 Purpose. The purpose of this chapter is to promote the available housing opportunities for the present and future residents of this county by the establishment of policies and development standards for mobile home parks. (Ord. 2079 §1(part) (Exh. A(part)), 1989).

17.54.020 Permitted uses. The following uses are permitted in the MHP combining zone: those permitted uses of the base zoning district. (Ord. 2079 §1(part) (Exh. A(part)), 1989).

17.54.030 Conditional use permit. The following uses are permitted upon approval and validation of a conditional use permit:

- A. Those conditional uses of the base zoning district;
- B. Mobile home park not exceeding the density permitted by the general plan;
- C. Recreation vehicle park, if such use is conditionally permitted in the base zoning district;
- D. Campground, if such use is conditionally permitted in the base zoning district. (Ord. 2079 §1(part) (Exh. A(part)), 1989).

17.54.040 Temporary uses. Temporary uses as specified in the base zoning district are permitted under the same standards in the MHP combining zone. (Ord. 2079 §1(part) (Exh. A(part)), 1989).

* For statutory provisions on mobile home parks, see Health and Safety Code §18200, et seq.
Prior ordinance history: §§46.01, 46.02, 46.04, 46.06, 46.08 and 46.10 of Ord. 945 and Ords. 1342, 1810 and 1903.

17.54.050 Accessory uses. All accessory uses permitted in the base zoning district. (Ord. 2079 §1(part) (Exh. A(part)), 1989).

17.54.060 Mobile home park development standards. The following standards shall apply to all mobile home parks in addition to any state or federal requirements, and in addition to the performance standards of the base zoning district:

A. Mobile Home Site Requirements. Each mobile home site shall be plainly marked and numbered for identification and shall meet all requirements of this chapter.

B. Mobile Home Site Area. Each mobile home site in a mobile home park shall have a minimum of three thousand square feet in area.

C. Mobile Home Site Width. Each mobile home site shall have a minimum width of thirty feet plus the width of the mobile home, unless it can be shown that adequate space for a patio, parking, and side yard(s) will be assured, despite a site of lesser width.

D. Front Yard. Each mobile home site shall have a front yard of not less than seven feet. The front yard so required shall not be used for vehicle parking, except such paved portion thereof as is devoted to driveway use.

E. Side Yard, Corner Lot. On corner sites, the side yard adjoining the mobile home park street shall not be less than five feet.

F. Side Yards, Interior. Each mobile home site shall have side yard on each side of not less than five feet.

G. Side Yard, Driveway. When used for access to a parking facility, a side yard shall be wide enough for a ten foot wide unobstructed driveway.

H. Rear Yard. Each mobile home site shall have a rear yard of not less than five feet in depth.

I. Projection Into Yard. The following structures may be erected or projected into any required yard:

1. Eaves, stairways and awnings not to exceed one foot;

2. Landscape elements including trees, shrubs, and other plants, except hedges, provided that such landscape feature does not hinder the movement of the mobile home in or out of its space;

3. Mobile home hitches;

4. Necessary appurtenances for utility services.

J. Distance Between Mobile Homes or Accessory Structures. No portion of a mobile home or attached accessory

structure shall be closer than ten feet to another mobile home or attached accessory structure.

K. Mobile Home Site Coverage. The mobile home and accessory structures shall not cover more than seventy-five percent of the mobile home site.

L. Population Density. Not more than one single-family mobile home may be placed on a mobile home site.

M. Parking. Parking shall meet the requirements of Chapter 17.70.

N. Signs. Shall meet the requirements of Chapter 17.72.

O. Landscaping. The following landscaping provisions shall apply to all mobile home parks:

1. All open areas except driveways, parking area, walkways, utility areas, improved decks, patios, or porches shall be maintained with landscaping as hereinbefore defined;

2. The trees shall be planted along street frontage as may be required by the planning commission.

P. Walls and Fences. Walls and fences on individual mobile home sites shall not exceed two feet in height. Walls or fences shall be erected around the perimeter of each mobile home park as required by the planning commission. The height, construction, and type of material for such perimeter walls shall be as specified by the planning commission in the conditional use permit.

Q. Mobile Home Park Streets. Mobile home park streets shall be provided in such a pattern as to provide convenient traffic circulation within the mobile home park. On-street parking is not permitted. They shall be built to the following standards:

1. All mobile home park streets shall have a width of not less than thirty feet including curbs;

2. There shall be concrete roll curbs on each side of the streets;

3. The mobile home park streets shall be paved. Detailed plans shall be submitted to the public works director for review and approval.

R. Park and Recreation Areas. A central recreation area shall be established in each mobile home park created pursuant to the provisions of this chapter. The size of such area shall be at least one hundred square feet per mobile home site. The recreation area may contain community club houses, swimming pools, shuffleboard courts, and similar facilities. The planning commission may permit decentralization of the recreation facilities in accordance with principles of good planning provided that the total recreation area meets the above state minimum size.

S. Mobile Home Park Office. Every mobile home park shall include a permanent building for office use. Such building may include a single family dwelling for the exclusive use of the owner or manager.

T. Buffer Space. All mobile home parks shall have a

minimum of thirty feet buffer space between the adjacent developments.

U. Mail Boxes Provided. Each mobile home site shall be equipped with a receptacle for mail deliveries in accordance with the standards prescribed by the local postmaster.

V. Telephones. The mobile home park shall contain at least one public telephone for the use of the park residents.

W. Storage Areas. Areas used for the storage of travel trailers, boats, and other such items may be established in a mobile home park provided they are adequately screened from public view.

X. Utilities. Except in the RZ zone, all utility distribution facilities serving individual mobile home sites shall be placed underground. The owner is responsible for complying with the requirements of this subsection and he shall make the necessary arrangements with each of the serving utilities for the installation of such facilities. Transformers, terminal boxes, meter cabinets, pedestals, concealed ducts, and other necessary appurtenant structures may be placed aboveground. Water and sewer distribution facilities shall be installed in conformance with specifications of the utility engineer.

Y. Sale of Mobile Homes at Mobile Home Parks.

1. Operation Subject to Conditional Use Permit. The operation of a business or occupation, either full or part, for the purpose of mobile home sales, shall be allowed on the premises of any legally established mobile home park, subject to the issuance of a conditional use permit.

2. Conditions. Such conditional use permits shall be subject to any conditions imposed by the county.

3. Restrictions. In no event shall the holder of the conditional use permit or any other person maintain or allow to be maintained on the mobile home park premises for display any mobile home either assembled or disassembled which is not installed on the site and connected to all utilities sufficient to be legally adequate for immediate occupancy. The maximum number of unoccupied mobile homes so installed for display shall not exceed three units at any one time.

4. Other Requirements. This section does not affect any other requirements of any agency, board, commission, or entity at whatever level for any other permit, authorization, or approval. (Ord. 2079 §1(part) (Exh. A(part)), 1989)

Chapter 17.55MANUFACTURED HOME STANDARDSSections:

- 17.55.010 Application--Intent.
- 17.55.020 Standards.

17.55.010 Application--Intent. The regulations specified in this chapter shall apply in addition to those hereinbefore specified for any zone, provided that if conflict in regulations occur, the regulations of this chapter shall govern. (Ord. 2079 §1(part)(Exh. B(part)), 1989).

17.55.020 Standards. A. Mobile homes and/or travel trailers without foundation systems may be used as residences only in mobile home parks or trailer parks subject to the applicable provisions of the Health and Safety Code of the state of California, or in any public camping area; provided, however, that a manufactured home may be located and used outside of mobile home parks in certain zones where such use is specifically authorized.

B. A manufactured home used for residential purposes outside of mobile home parks and/or trailer parks shall be subject to the following standards and requirements:

1. It shall have a permanent skirting and perimeter enclosure meeting the requirements of Section 503 of the latest edition of the "Guidelines for Manufactured Housing Installations" published by the International Conference of Building Officials.

2. It shall be placed on a permanent foundation system approved by State Department of Housing and Community Development or designed by a California licensed architect or professional engineer. In GF, TP, A1 and AP zones with parcels larger than twenty acres in size, the mobile home need not be placed on a permanent foundation if it is to be occupied exclusively by a person employed as a farm laborer, caretaker or watchman on the same parcel of land.

3. Any manufactured home to be placed on private property, whether for permanent residence or caretaker use, must have documentation, such as DMV registration, manufacturer's certification or equal, that unit(s) are no older than fifteen years from submittal date of building permit application.

4. The exterior material shall be that customarily used on new residential structures in the surrounding area unless it is being occupied by a farm laborer, caretaker or watchman.

5. The roofing material shall be of tile, wood or composition shingles or other materials customarily used

for conventional residential structures in the surrounding area unless it is being occupied by a farm laborer, caretaker or watchman.

6. The roof shall have eave and gable overhangs of not less than one foot measured from the vertical side of the structure, or that which is customarily found on new residential structures in surrounding area unless it is being occupied by a farm laborer, caretaker or watchman.

C. One commercial manufactured home without permanent foundation, may be used as an office, appurtenant to and accessory to, and in conjunction with, the operation of a manufactured home sales yard without the necessity of securing a conditional use permit or administrative permit.

D. One mobile home, without permanent foundation, trailer or recreational vehicle may be permitted, with a special permit issued by the planning department as a temporary office or residence, after obtaining a building permit for the construction of a permanent building for the same use on the same lot. Such use shall be limited to twelve months from the date of issuance of the building permit and shall automatically terminate upon the expiration or voidance of the building permit.

E. All existing manufactured homes placed and constructed after June 15, 1976, pursuant to the codes and standards adopted by the Department of Housing and Community Development, state of California, and placed on an individual lot in accordance with applicable laws and ordinances may remain at the existing location without the construction of a foundation. (Ord. 2559 §1, 1998; Ord. 2488 §1, 1996; Ord. 2405 Exh. A(part), 1994; Ord. 2345 §3 Exh. A(part), 1993; Ord. 2171 §3, 1991; Ord. 2079 §1(part) Exh. B(part), 1989).

Chapter 17.56

MINERAL EXTRACTION (ME) ZONE*

Sections:

- 17.56.010 Authority.
- 17.56.020 Purpose.
- 17.56.030 Applicability.
- 17.56.040 Exemptions.
- 17.56.050 Definitions.
- 17.56.060 Incorporation by reference.
- 17.56.070 Vested rights.
- 17.56.080 Procedures.

* Prior ordinance history: Ords. 945 and 1810.

Sections: (Continued)

- 17.56.090 Standards for reclamation.
- 17.56.100 Statement of responsibility.
- 17.56.110 Findings for approval.
- 17.56.120 Financial assurances.
- 17.56.130 Interim management plans.
- 17.56.140 Annual report requirements.
- 17.56.150 Inspections.
- 17.56.160 Violations and penalties.
- 17.56.170 Appeals.
- 17.56.180 Fees.
- 17.56.190 Mineral resource protection.
- 17.56.200 Severability.

17.56.010 Authority. This title is adopted pursuant to the California's Surface Mining and Reclamation Act of 1975 (Public Resources Code Sections 2710 et seq.), as amended, hereinafter referred to as "SMARA," Public Resources Code (PRC) Section 2207 (relating to annual reporting requirements), and State Mining and Geology Board regulations (hereinafter referred to as "State regulations") for surface mining and reclamation practice (California Code of Regulations (CCR), Title 14, Division 2, Chapter 8, Subchapter 1, Sections 3500 et seq.) (Ord. 2571 §3 Exh. A(part), 1999).

17.56.020 Purpose. The county recognizes that the extraction of minerals is essential to the continued economic well-being of the county and to the needs of society and that the reclamation of mined lands is necessary to prevent or minimize adverse effects on the environment and to protect the public health and safety. Calaveras County also recognizes that surface mining takes place in diverse areas where the geologic, topographic, climatic, biological, and social conditions are significantly different and that reclamation operations and the specifications therefore may vary accordingly. The purpose and intent of this chapter is to ensure that:

A. There is continued availability of important mineral resources, while regulating surface mining operations.

B. Adverse environmental effects are prevented or minimized and that mined lands are reclaimed to a usable condition which is readily adaptable for alternative land uses.

C. The production and conservation of minerals are encouraged, while giving consideration to values relating to recreation, watershed, wildlife, range and forage, and aesthetic enjoyment.

D. Residual hazards to the public health and safety are eliminated. (Ord. 2571 §3 Exh. A(part), 1999).

17.56.030 Applicability. A. Except as provided in this chapter, no person shall conduct surface mining operations or land reclamation projects unless a permit, reclamation plan, and financial assurances for reclamation have first been approved by the county. Any applicable exemption from this requirement does not automatically exempt a project or activity from the application of other regulations, ordinances or policies of the county, including but not limited to, the application of CEQA, the requirement of development review, conditional use permits or other permits, the payment of development impact fees, or the imposition of other dedications and exactions as may be permitted under the law.

B. The provisions of this chapter shall apply to all lands within the jurisdiction of the county. It is the intent of the board of supervisors to apply the ME combining zone to all existing and future mining operations requiring a reclamation plan. The county will initiate rezoning those operations currently subject to SMARA without the ME zone, and will require any future operation to concurrently apply for the ME zone with the reclamation plan.

C. This title shall be continuously reviewed and revised as necessary in order to ensure that it is in accordance with SMARA. (Ord. 2571 §3 Exh. A(part), 1999).

17.56.040 Exemptions. This chapter shall not apply to the following activities:

A. Excavations or grading conducted for farming or on-site construction or for the purpose of restoring land following a flood or natural disaster.

B. Onsite excavation and onsite earthmoving activities which are an integral and necessary part of a construction project that are undertaken to prepare a site for construction of structures, landscaping, or other land improvements, including the related excavation, grading, compaction, or the creation of fills, road cuts, and embankments, whether or not surplus materials are exported from the site, subject to all of the following conditions:

1. All required permits for the construction, landscaping, or related land improvements have been approved by a public agency in accordance with applicable provisions of state law and locally adopted plans and ordinances, including, but not limited to, the California Environmental Quality Act ("CEQA," Public Resources Code, Division 13, Section 21000 et seq.).

2. The county's approval of the construction project included consideration of the onsite excavation and onsite earthmoving activities pursuant to CEQA.

3. The approved construction project is consistent with the general plan or zoning of the site.

4. Surplus materials shall not be exported from the site unless and until actual construction work has

commenced and shall cease if it is determined that construction activities have terminated, have been indefinitely suspended, or are no longer being actively pursued.

C. Operation of a plant site used for mineral processing, including associated onsite structures, equipment, machines, tools, or other materials, including the onsite stockpiling and onsite recovery of mined materials, subject to all of the following conditions:

1. The plant site is located on lands designated for industrial uses in the Calaveras County general plan.

2. The plant site is located on lands zoned industrial or commercial.

3. None of the minerals being processed are being extracted onsite.

4. All reclamation work has been completed pursuant to an approved reclamation plan for any mineral extraction activities that occurred onsite after January 1, 1976.

D. Prospecting for, exploration of, or extraction of minerals for commercial purposes and the removal of overburden in total amounts of less than one thousand cubic yards in any one location of one acre or less. The limitation on surface disturbance does not include the clearing or removal of brush and vegetation for access road, or erosion control. The limits are cumulative for any period of time and for any assessor parcel or contiguous ownership of surface rights and/or mineral rights, no matter what size parcel.

1. Exploration operators shall prior to commencement of exploration activities submit a letter to the director of the planning department indicating the extent of exploration activities planned, the assessor parcel number(s), and the section, township and range to the property upon which the activities will occur. Accompanying the letter the operator shall submit a USGS quadrangle map and applicable assessor parcel map(s) indicating the location of the activities.

2. Exploration operators shall be responsible for notifying all local, state, and federal agencies and obtaining all permits as otherwise required for their proposed activities.

3. Exploration operators shall backfill and reseed, with a seed mixture approved by the agricultural commissioner, all excavations they create; eliminate any noxious weeds introduced by the operator; and cover and seal all drill holes they create.

E. Surface mining operations that are required by federal law in order to protect a mining claim, if those operations are conducted solely for that purpose.

F. Any other surface mining operations that the State Mining and Geology Board determines to be of an infrequent nature and which involve only minor surface disturbances.

G. The solar evaporation of sea water or bay water for the production of salt and related minerals.

H. Emergency excavations or grading conducted by the department of water resources or the reclamation board for the purpose of averting, alleviating, repairing, or restoring damage to property due to imminent or recent floods, disasters, or other emergencies.

I. Road construction and maintenance for timber or forest operations if the land is owned by the same person or entity, and if the excavation is conducted adjacent to timber or forest operation roads. This exemption is only available if slope stability and erosion are controlled in accordance with board regulations and, upon closure of the site, the person closing the site implements, where necessary, revegetation measures and postclosure uses in consultation with the Department of Forestry and Fire Protection. This exemption does not apply to onsite excavation or grading that occurs within one hundred feet of a class one watercourse or seventy-five feet of a class two watercourse, or to excavations for materials that are, or have been, sold for commercial purposes. (Ord. 2571 §3 Exh. A(part), 1999).

17.56.050 Definitions. The definitions set forth in this section shall govern the construction of this chapter.

"Area of regional significance" means an area designated by the State Mining and Geology Board which is known to contain a deposit of minerals, the extraction of which is judged to be of prime importance in meeting future needs for minerals in a particular region of the state within which the minerals are located and which, if prematurely developed for alternate incompatible land uses, could result in the premature loss of minerals that are of more than local significance.

"Area of statewide significance" means an area designated by the State Mining and Geology Board which is known to contain a deposit of minerals, the extraction of which is judged to be of prime importance in meeting future needs for minerals in the state and which, if prematurely developed for alternate incompatible land uses, could result in the permanent loss of minerals that are of more than local or regional significance.

"Borrow pits" means excavations created by the surface mining of rock, unconsolidated geologic deposits or soil to provide material (borrow) for fill elsewhere.

"Compatible land uses" means land uses inherently compatible with mining and/or that require a minimum public or private investment in structures, land improvements, and which may allow mining because of the relative economic value of the land and its improvements. Examples of such uses may include, but shall not be limited to, very low density residential, geographically extensive but low im-

pact industrial, recreational, agricultural, silvicultural, grazing and open space.

"Haul road" means a road along which material is transported from the area of excavation to the processing plant or stock pile area of the surface mining operation.

"Idle" means surface mining operations curtailed for a period of one year or more, by more than ninety percent of the operation's previous maximum annual mineral production, with the intent to resume those surface mining operations at a future date.

"Incompatible land uses" means land uses inherently incompatible with mining and/or that require public or private investment in structures, land improvements, and landscaping and that may prevent mining because of the greater economic value of the land and its improvements. Examples of such uses may include, but shall not be limited to, high-density residential, low-density residential with high unit value, public facilities, geographically limited but impact intensive industrial and commercial.

"Mined lands" means the surface, subsurface, and ground water of an area in which surface mining operations will be, are being, or have been conducted, including private ways and roads appurtenant to any such area, land excavations, workings, mining waste, and areas in which structures, facilities, equipment, machines, tools, or other materials or property which result from, or are used in, surface mining operations are located.

"Minerals" means any naturally occurring chemical element or compound, or groups of elements and compounds, formed from inorganic processes and organic substances, including, but not limited to, coal, peat, and bituminous rock, but excluding geothermal resources, natural gas and petroleum.

"Operator" means any person who is engaged in surface mining operations, or who contracts with others to conduct operations on his/her behalf, except a person who is engaged in surface mining operations as an employee with wages as his/her sole compensation.

"Reclamation" means the combined process of land treatment that minimizes water degradation, air pollution, damage to aquatic or wildlife habitat, flooding, erosion, and other adverse effects from surface mining operations, including adverse surface effects incidental to underground mines, so that mined lands are reclaimed to a usable condition which is readily adaptable for alternate land uses and create no danger to public health or safety. The process may extend to affected lands surrounding mined lands, and may require backfilling, grading, resoiling, revegetation, soil compaction, stabilization, or other measures.

"Stream bed skimming" means excavation of sand and gravel from stream bed deposits above the mean summer water level or stream bottom, whichever is higher.

"Surface mining operations" means all, or any part of, the process involved in the mining of minerals on mined lands by removing overburden and mining directly from the mineral deposits, open-pit mining of minerals naturally exposed, mining by the auger method, dredging and quarrying, or surface work incident to an underground mine. Surface mining operations include, but are not limited to, in place distillation or retorting or leaching, the production and disposal of mining waste, prospecting and exploratory activities, borrow pitting, stream bed skimming, and segregation and stockpiling of mined materials (and recovery of same). (Ord. 2571 §3 Exh. A(part), 1999).

17.56.060 Incorporation by reference. The provisions of SMARA (PRC Section 2710 et seq.), PRC Section 2207, and state regulations CCR Section 3500 et seq., as those provisions and regulations may be amended from time to time, are made a part of this chapter by reference with the same force and effect as if the provisions therein were specifically and fully set out herein, excepting that when the provisions of this chapter are more restrictive than correlative state provisions, this chapter shall prevail. (Ord. 2571 §3 Exh. A(part), 1999).

17.56.070 Vested rights. No person who obtained a vested right to conduct surface mining operations prior to January 1, 1976, shall be required to secure a permit to mine, so long as the vested right continues and as long as no substantial changes have been made in the operation except in accordance with SMARA, state regulations, and this chapter. Where a person with vested rights has continued surface mining in the same area subsequent to January 1, 1976, they shall obtain Calaveras County approval of a reclamation plan covering the mined lands disturbed by such subsequent surface mining. In those cases where an overlap exists (in the horizontal and/or vertical sense) between pre and post-Act mining, the reclamation plan shall call for reclamation proportional to that disturbance caused by the mining after the effective date of the Act (January 1, 1976). All other requirements of state law and this chapter shall apply to vested mining operations. (Ord. 2571 §3 Exh. A(part), 1999).

17.56.080 Procedures. A. Applications for a development review, conditional use permit and/or reclamation plan for surface mining or land reclamation projects shall be made on forms provided by the planning department. Said application shall be filed in accord with this chapter and procedures to be established by the planning department. The forms for reclamation plan applications shall require, at a minimum, each of the elements required by SMARA (Sections 2772-2773) and state regulations, and any other re-

quirements deemed necessary to facilitate an expeditious and fair evaluation of the proposed reclamation plan, to be established at the discretion of the community development director.

B. As many copies of a reclamation plan application as may be required shall be submitted in conjunction with all applications for development review or conditional use permit for surface mining operations. For surface mining operations that are exempt from a conditional use permit pursuant to this chapter, the reclamation plan application shall include information concerning the mining operation that is required for processing the reclamation plan. All documentation for the reclamation plan shall be submitted to the Calaveras County planning department at one time.

C. Applications shall include all required environmental review forms and information prescribed by the planning department.

D. Upon completion of the environmental review procedure and filing of all documents required by the planning department, consideration of the reclamation plan and, if required, a development review or conditional use permit, for the proposed or existing surface mine shall be pursuant to Title 17, Chapter 17.88 of the Calaveras County Zoning Code at a public hearing before the planning commission, and pursuant to Section 2774 of the Public Resources Code.

E. Within thirty days of acceptance of an application as complete for a reclamation plan and, if required, a development review or conditional use permit, the planning department shall notify the State Department of Conservation of the filing of the application(s). Whenever mining operations are proposed in the one hundred-year flood plain of any stream, as shown in zone A of the flood insurance rate maps issued by the Federal Emergency Management Agency, and within one mile, upstream or downstream, of any state highway bridge, the planning department shall also notify the State Department of Transportation that the application has been received.

F. The planning department shall process the application(s) through environmental review pursuant to the California Environmental Quality Act (Public Resources Code Sections 21000 et seq.) and the Calaveras County's CEQA Guidelines.

G. Subsequent to the appropriate environmental review, the planning department shall prepare a staff report, including all comments received, with recommendations for consideration by the planning commission.

H. The planning commission shall hold at least one noticed public hearing on the reclamation plan and, if required, the conditional use permit.

I. Prior to final approval of a reclamation plan, financial assurances (as provided in this chapter), or any amendments to the reclamation plan or existing financial

assurances, the planning commission shall certify to the State Department of Conservation that the reclamation plan and/or financial assurance complies with the applicable requirements of state law, and submit the plan, assurance, or amendments to the State Department of Conservation for review. If a conditional use permit is being processed concurrently with the reclamation plan, the planning commission may simultaneously approve the conditional use permit. However, the planning commission may defer action on the conditional use permit until taking final action on the reclamation plan and financial assurances. If necessary to comply with permit processing deadlines, the planning commission may conditionally approve the conditional use permit with the condition that the planning department shall not issue the conditional use permit for the mining operations until cost estimates for financial assurances have been reviewed by the State Department of Conservation and final action has been taken by the planning commission on the reclamation plan and financial assurances.

J. Pursuant to PRC Section 2774(d), the State Department of Conservation shall be given thirty days to review and comment on the reclamation plan and forty-five days to review and comment on the financial assurance. The planning department shall evaluate written comments received, if any, from the State Department of Conservation during the comment periods. Staff shall prepare a written response describing the disposition of the major issues raised by the state for the planning commission's approval. When the planning commission's position is at variance with the recommendations and objections raised in the state's comments, the written response shall address, in detail, why specific comments and suggestions were not accepted. Copies of any written comments received and responses prepared by the planning department shall be promptly forwarded to the operator/applicant.

K. The planning commission shall then take action to approve, conditionally approve, or deny the reclamation plan and, if required, the conditional use permit, and to approve the financial assurances pursuant to PRC Section 2770(d).

L. The planning department shall forward a copy of each approved reclamation plan and, if required, development review or conditional use permit, and a copy of the approved financial assurances to the State Department of Conservation. By July 1st of each year, the planning department shall submit to the State Department of Conservation for each active or idle mining operation a copy of the development review, conditional use permit or reclamation plan amendments, as applicable, or a statement that there have been no changes during the previous year. (Ord. 2571 §3 Exh. A(part), 1999).

17.56.090 Standards for reclamation. A. All reclamation plans shall comply with the provisions of SMARA (Section 2772 and Section 2773) and state regulations (CCR Sections 3500-3505). Reclamation plans approved after January 15, 1993, reclamation plans for proposed new mining operations, and any substantial amendments to previously approved reclamation plans, shall also comply with the requirements for reclamation performance standards (CCR Sections 3700-3713).

B. The county may impose additional performance standards either during review of individual projects, as warranted, or through the formulation and adoption of county-wide performance standards.

C. Reclamation activities shall be initiated at the earliest possible time on those portions of the mined lands that will not be subject to further disturbance. Interim reclamation may also be required for mined lands that have been disturbed and that may be disturbed again in future operations. Reclamation may be done on an annual basis, in stages compatible with continuing operations, or on completion of all excavation, removal, or fill, as approved by the county. Each phase of reclamation shall be specifically described in the reclamation plan and shall include all of the following:

1. The beginning and expected ending dates for each phase.
2. All reclamation activities required.
3. Criteria for measuring completion of specific reclamation activities.
4. Estimated costs for completion of each phase of reclamation. (Ord. 2571 §3 Exh. A(part), 1999).

17.56.100 Statement of responsibility. The person submitting the reclamation plan shall sign a statement accepting responsibility for reclaiming the mined lands in accordance with the reclamation plan. Said statement shall be kept by the planning department in the mining operation's permanent record. Upon sale or transfer of the operation, the new operator shall submit a signed statement of responsibility to the planning department for placement in the permanent record. (Ord. 2571 §3 Exh. A(part), 1999).

17.56.110 Findings for approval. A. Site Approvals. In addition to any findings required by the Calaveras County zoning code, conditional use permit for surface mining operations shall include a finding that the project complies with the provisions of SMARA and state regulations.

B. Reclamation Plans. For reclamation plans, the following findings shall be required:

1. That the reclamation plan complies with SMARA Sections 2772 and 2773, and any other applicable provisions;
2. That the reclamation plan complies with applicable requirements of state regulations (CCR Sections 3500-3505, and Sections 3700-3713).
3. That the reclamation plan and potential use of reclaimed land pursuant to the plan are consistent with this chapter and the Calaveras County general plan and any applicable resource plan or element.
4. That the reclamation plan has been reviewed pursuant to CEQA and the Calaveras County environmental review guidelines, and all significant adverse impacts from reclamation of the surface mining operations are mitigated to the maximum extent feasible.
5. That the land and/or resources such as water bodies to be reclaimed will be restored to a condition that is compatible with, and blends in with, the surrounding natural environment, topography, and other resources, or that suitable off-site development will compensate for related disturbance to resource values.
6. That the reclamation plan will restore the mined lands to a usable condition which is readily adaptable for alternative land uses consistent with the general plan and applicable resource plan.
7. That a written response to the State Department of Conservation has been prepared, describing the disposition of major issues raised by that Department. Where the county position is at variance with the recommendations and objections raised by the State Department of Conservation, said response shall address, in detail, why specific comments and suggestions were not accepted. (Ord. 2571 §3 Exh. A(part), 1999).

17.56.120 Financial assurances. A. To ensure that reclamation will proceed in accordance with the approved reclamation plan, the county shall require as a condition of approval security which will be released upon satisfactory performance. The applicant may pose security in the form of a surety bond, trust fund, irrevocable letter of credit from an accredited financial institution, or other method acceptable to the county and the State Mining and Geology Board as specified in state regulations, and which the county reasonably determines are adequate to perform reclamation in accordance with the surface mining operation's approved reclamation plan. Financial assurances shall be made payable to the county and the State Department of Conservation.

B. Financial assurances will be required to ensure compliance with elements of the reclamation plan, including but not limited to, revegetation and landscaping requirements, restoration of aquatic or wildlife habitat, restora-

tion of water bodies and water quality, slope stability and erosion and drainage control, disposal of hazardous materials, and other measures, if necessary.

C. Cost estimates for the financial assurance shall be submitted to the planning department for review and approval prior to the operator securing financial assurances. The planning department shall forward a copy of the cost estimates, together with any documentation received supporting the amount of the cost estimates, to the State Department of Conservation for review. If the State Department of Conservation does not comment within forty-five days of receipt of these estimates, it shall be assumed that the cost estimates are adequate, unless the county has reason to determine that additional costs may be incurred. The planning department shall have the discretion to approve the financial assurance if it meets the requirements of this chapter, SMARA, and state regulations.

D. The amount of the financial assurance shall be based upon the estimated costs of reclamation for the years or phases stipulated in the approved reclamation plan, including any maintenance of reclaimed areas as may be required, subject to adjustment for the actual amount required to reclaim lands disturbed by surface mining activities since January 1, 1976, and new lands to be disturbed by surface mining activities in the upcoming year. Cost estimates should be prepared by a California registered professional engineer and/or other similarly licensed and qualified professionals retained by the operator and approved by the planning department. The estimated amount of the financial assurance shall be based on an analysis of physical activities necessary to implement the approved reclamation plan, the unit costs for each of these activities, the number of units of each of these activities, and the actual administrative costs. Financial assurances to ensure compliance with revegetation, restoration of water bodies, restoration of aquatic or wildlife habitat, and any other applicable element of the approved reclamation plan shall be based upon cost estimates that include but may not be limited to labor, equipment, materials, mobilization of equipment, administration, and reasonable profit by a commercial operator other than the permittee. A contingency factor of ten percent shall be added to the cost of financial assurances.

E. In projecting the costs of financial assurances, it shall be assumed without prejudice or insinuation that the surface mining operation could be abandoned by the operator and, consequently, the county or State Department of Conservation may need to contract with a third party commercial company for reclamation of the site.

F. The financial assurances shall remain in effect for the duration of the surface mining operation and any

additional period until reclamation is completed (including any maintenance required).

G. The amount of financial assurances required of a surface mining operation for any one year shall be adjusted annually to account for new lands disturbed by surface mining operations, inflation, and reclamation of lands accomplished in accordance with the approved reclamation plan. The financial assurances shall include estimates to cover reclamation for existing conditions and anticipated activities during the upcoming year, excepting that the permittee may not claim credit for reclamation scheduled for completion during the coming year.

H. Revisions to financial assurances shall be submitted to the planning department each year prior to the anniversary date for approval of the financial assurances. The financial assurance shall cover the cost of existing disturbance and anticipated activities for the next calendar year, including any required interim reclamation. If revisions to the financial assurances are not required, the operator shall explain, in writing, why revisions are not required. (Ord. 2571 §3 Exh. A(part), 1999).

17.56.130 Interim management plans. A. Within ninety days of a surface mining operation becoming idle, the operator shall submit to the planning department a proposed interim management plan (IMP). The proposed IMP shall fully comply with the requirements of SMARA, including but not limited to all conditional use permit conditions, and shall provide measures the operator will implement to maintain the site in a stable condition, taking into consideration public health and safety. The proposed IMP detailing the proposed changes from the approved plan shall be submitted on forms provided by the planning department, and shall be processed as a minor amendment to the reclamation plan to be reviewed by the planning department.

B. Upon receipt of a complete proposed IMP the planning department shall:

1. Review the IMP for deviations from the original plan. Deviations determined by the community development director to be substantial shall require planning commission approval.

2. Forward the IMP to the State Department of Conservation for review. The IMP shall be submitted to the State Department of Conservation at least thirty days prior to the county taking any action on the IMP.

C. Within sixty days of receipt of the proposed IMP, or a longer period mutually agreed upon by the community development director and the operator, the community development director, or the planning commission if deemed the reviewing body by the community development director pursuant to subsection (B)(1) of this section, shall review and approve or deny the IMP in accordance with this chapter.

The operator shall have thirty days, or a longer period mutually agreed upon by the operator and the community development director, to submit a revised IMP. The revised IMP shall be approved or denied within sixty days of receipt. If the IMP is denied, the operator may appeal that action to the appropriate body pursuant to Chapter 17.98 of county code.

D. An approved IMP for idle operations shall maintain the operation status of "active" for the purposes of Section 17.90.040 of the county code.

E. Financial assurances for idle operations shall be maintained as though the operation were active, or as otherwise approved through the idle mine's IMP.

F. The IMP may remain in effect for a period not to exceed five years, at which time the community development director may renew the IMP for another period not to exceed five years, or require the surface mining operator to commence reclamation in accordance with its approved reclamation plan. (Ord. 2571 §3 Exh. A(part), 1999).

17.56.140 Annual report requirements. Surface mining operators shall forward an annual surface mining report to the State Department of Conservation and to the planning department on a date established by the State Department of Conservation, upon forms furnished by the State Mining and Geology Board. New mining operations shall file an initial surface mining report and any applicable filing fees with the State Department of Conservation within thirty days of permit approval, or before commencement of operations, whichever is sooner. Any applicable fees, together with a copy of the annual inspection report, shall be forwarded to the State Department of Conservation at the time of filing the annual surface mining report. (Ord. 2571 §3 Exh. A(part), 1999).

17.56.150 Inspections. A. The planning department shall arrange for inspection of a surface mining operation within six months of receipt of the annual report required in the previous section, annual report requirements, to determine whether the surface mining operation is in compliance with the approved development review or conditional use permit and/or reclamation plan, approved financial assurances, and state regulations. In no event shall less than one inspection be conducted in any calendar year. Said inspections may be made by a state-registered geologist, state-registered civil engineer, state-licensed landscape architect, or state-registered forester, who is experienced in land reclamation and who has not been employed by the mining operation in any capacity during the previous twelve months, or other qualified specialists, as selected by the planning department. All inspections shall be con-

ducted using a form approved and provided by the State Mining and Geology Board.

* B. The planning department shall notify the State Department of Conservation within thirty days of completion of the inspection that said inspection has been conducted, and shall forward a copy of said inspection notice and any supporting documentation to the mining operator. The operator shall be solely responsible for the reasonable cost of such inspection. (Ord. 2571 §3 Exh. A(part), 1999).

17.56.160 Violations and penalties. If the community development director, based upon an annual inspection or otherwise confirmed by an inspection of the mining operation, determines that a surface mining operation is not in compliance with this chapter, the applicable development review or conditional use permit, any required permit and/or the reclamation plan, Calaveras County shall follow the procedures set forth in Public Resources Code, Sections 2774.1 and 2774.2 concerning violations and penalties, as well as those provisions of the county code for revocation and/or abandonment of permits which are not preempted by SMARA. (Ord. 2571 §3 Exh. A(part), 1999).

17.56.170 Appeals. Any person aggrieved by an act or determination of the planning department in the exercise of the authority granted herein, shall have the right to appeal. An appeal shall be filed to the appropriate body pursuant to Chapter 17.98 of the county code. (Ord. 2571 §3 Exh. A(part), 1999).

17.56.180 Fees. The board of supervisors shall establish such fees as it deems necessary to cover the reasonable costs incurred in implementing this chapter and the state regulations, including but not limited to, processing of applications, annual reports, inspections, monitoring, enforcement and compliance. Such fees shall be paid by the operator, as required by the county, at the time of filing of the development review or conditional use permit application, reclamation plan application, and at such other times as are determined by the Calaveras County to be appropriate in order to ensure that all reasonable costs of implementing this chapter are borne by the mining operator. (Ord. 2571 §3 Exh. A(part), 1999).

17.56.190 Mineral resource protection. A. Mine development is encouraged in compatible areas before encroachment of conflicting uses. Mineral resource areas that have been classified by the State Department of Conservation's Division of Mines and Geology or designated by the State Mining and Geology Board, as well as existing surface mining operations that remain in compliance with the provisions of this chapter, shall be protected from

intrusion by incompatible land uses that may impede or preclude mineral extraction or processing, to the extent possible for consistency with the Calaveras County general plan.

B. In accordance with PRC Section 2762, the Calaveras County general plan and resource maps will be updated to reflect updated mineral information (classification and/or designation reports) within twelve months of receipt from the State Mining and Geology Board of such information. Land use decisions within the county will be guided by information provided on the location of identified mineral resources of regional significance. Conservation and potential development of identified mineral resource areas will be considered and encouraged. Recordation on property titles of the presence of important mineral resources within the identified mineral resource areas may be encouraged as a condition of approval of any development project in the impacted area. Prior to approving a use that would otherwise be incompatible with mineral resource protection, conditions of approval may be applied to encroaching development projects to minimize potential conflicts. (Ord. 2571 §3 Exh. A(part), 1999).

17.56.200 Severability. If any section, subsection, sentence, clause or phrase of this chapter is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, it shall not affect the remaining portions of this chapter. (Ord. 2571 §3 Exh. A(part), 1999).

Chapter 17.58

ENVIRONMENTAL PROTECTION (EP) COMBINING ZONE*

Sections:

- 17.58.010 Purpose.
- 17.58.015 Development within the EP zone.
- 17.58.020 Permitted uses.
- 17.58.030 Conditional uses.
- 17.58.040 Temporary uses.
- 17.58.050 Accessory uses.
- 17.58.060 Performance standards.

* Prior ordinance history: Ords. 1872, 1810, 945.

17.58.010 Purpose. The purpose of the EP combining zone is to designate environmentally sensitive areas for protection of the public health, safety and welfare. The EP combining zone is intended for areas subject to potential flooding, sensitive archaeological areas or environmental habitats, or areas where future construction or subdivision may have a significant effect on the environment. The EP combining zone may be applied to all or a portion of a parcel of land. The EP zone, when combined with the REC base zone or a residential base zone and X combining zone is used to designate common area within subdivisions, and is not subject to the restrictions designated in this chapter. (Ord. 2345 §3 Exh. A(part), 1993).

17.58.015 Development within the EP zone. A. When applied to a portion of an existing or tentatively approved parcel of land, and when not used for purposes of designating common area, the EP zone means that no development of structures shall be permitted within the EP combining district.

B. When the EP combining zone is utilized to designate common area, the only facilities that may be constructed are those usual and customary uses associated with a common area. The EP combining district designates that common area parcels shall not be conveyed or transferred except for purposes of common area use or open space. No single-family residential structures shall be permitted within the common areas contained within the EP combining district. (Ord. 2345 §3 Exh. A(part), 1993).

17.58.020 Permitted uses. The EP combining zone changes permitted uses in the base zone on that portion of the property within the EP district only as follows:

A. Archaeological areas:

1. Accepted grazing practices,
2. Fence, wall or other benchmark identifying the archaeological site;
- B. Significant botanical habitat:
 1. No ground disturbance around rare or sensitive plants without an approved conservation plan;
- C. Significant wildlife habitat:
 1. Single-family residence, one per forty acres,
 2. Accepted grazing and ranching practices,
 3. Accepted farming practices,
 4. Accepted timber practices. (Ord. 2345 §3 Exh. A(part), 1993).

17.58.030 Conditional uses. The EP combining zone changes conditional uses in the base zone so that all uses not identified in this chapter as a permitted use in the EP combining zone, but identified as a permitted use in the base zone, are to be considered conditional uses. Approval of the conditional use permit, in addition to the requirements of this title, are subject to findings that development of the project for which the permit is issued will not have a significant environmental effect, nor will it adversely impact the public health, safety and welfare. (Ord. 2345 §3 Exh. A(part), 1993).

17.58.040 Temporary uses. Temporary uses within the EP combining zone are subject to approval of an administrative use permit pursuant to Chapter 17.04, and subject to the findings of Section 17.58.030. (Ord. 2345 §3 Exh. A(part), 1993).

17.58.050 Accessory uses. Accessory uses within the EP combining zone are subject to approval of an administrative use permit pursuant to Chapter 17.04, and subject to the findings of Section 17.58.030. (Ord. 2345 §3 Exh. A(part), 1993).

17.58.060 Performance standards. The following performance standards shall be applicable in the EP combining zone, and only for that portion of any parcel that is included in the EP zone:

- A. Archaeological areas:
 1. Indian Burial Grounds. At the option of the responsible tribal council, and with the concurrence of the board of supervisors, an easement of protective rights may be dedicated to the tribal council.
 2. Pioneer Cemeteries. Protective easements, as may be required by state law, or at the option of the board of supervisors, may be dedicated to the county or other responsible entity.
 3. Prehistoric Artifacts. Access to the subject area may be required at the option of the planning commission for the responsible state archaeological clearinghouse

for purposes of excavation, catalogue preparation, and disturbance protection;

B. Significant Botanical Areas. An open space easement, pursuant to the requirements of the Williamson Act, shall be encouraged, or other steps to preserve or protect the habitat and range;

C. Significant Wildlife Area. An open space easement pursuant to the requirements of the Williamson Act shall be encouraged, or other steps in conjunction with the California Department of Fish and Game, to preserve critical habitat areas;

D. Fisheries Areas. No grading shall be permitted without approval of a grading plan by the Public Works Director and the Department of Fish and Game to ensure that sedimentation and erosion do not impact riparian habitats or cause disturbance to stream courses and channels;

E. Dam Inundation, or Areas Subject to One-hundred-year Flooding.

1. Construction shall be approved by the chief building official to ensure that foundations and floor levels are above the floodplain pursuant to the Federal Emergency Management Agency's National Insurance Program. Construction within a floodplain is acceptable only if there are no other building sites located on the subject property, and if such construction will be found by the official to be in the interest of the public health, safety and welfare.

2. Septic systems shall be located outside of the flood area to the requirements of the sewage disposal ordinance of the county, and any state regulations.

3. Grading and drainage patterns shall be established to prevent increased runoff or standing water within the floodplain area. (Ord. 2345 §3 Exh. A(part), 1993).

Chapter 17.59

OFF-SITE PARKING (PX) COMBINING DISTRICT

Sections:

- 17.59.010 Applicability.
- 17.59.020 Provisions.
- 17.59.030 Proportional share of off-site parking costs.

17.59.010 Applicability. There is created in the unincorporated portions of the county an off-site parking (PX) combining district.

A. This district is applicable to parcels within community centers or community plan areas;

B. For such parcels, parking may be provided off of the street right-of-way on another parcel or community parking lot. If the project proponent is required to provide off-site parking, an application for inclusion in the PX combining district is required by this section. Application for inclusion in the PX combining district is made pursuant to Chapter 17.88;

C. Except where there is an existing or proposed community parking area, parking requirements shall not be satisfied by the provisions of this section when it is found that there is adequate room on the subject property for a parking area meeting requirements of this chapter. (Ord. 2345 §3 Exh. A(part), 1993).

17.59.020 Provisions. In order to be included in the PX combining district, prior to consideration of the request by the planning commission, the proponent shall comply with one of the following provisions:

A. Submit to the planning director an agreement for recordation to provide the required number of parking spaces at a location within a distance acceptable to the director. Such an agreement shall include provisions for directional signs to indicate in substantially the following language "Parking for (name of business) located (general directions or arrow)";

B. Satisfy the requirements of this section with the availability of parking in a community parking area for which the planning director finds that the proposed new project will not overburden existing capacity of the parking area;

C. In the event a community parking area has not yet been constructed, or if the use of the area by the project will overburden the facility, the proponent shall comply with the requirements of Section 17.59.030. (Ord. 2345 §3 Exh. A(part), 1993).

17.59.030 Proportional share of off-site parking costs. If the proposed project is located in an area where there is to be, or is, an existing, community parking lot, the project proponent may satisfy parking requirements by contributing the proportional cost of the acquisition, development, or maintenance of a community parking facility. The proportional basis shall be determined as follows:

A. Parking Determination. The number of parking spaces shall be calculated pursuant to this chapter;

B. The current cost of land acquisition, site preparation, and development, shall be calculated using a property appraisal, cost estimate or consumer price index for a previous estimate approved by the director of public works. In the event that adequate land area is already owned by the county, the cost of land may be waived by the board of supervisors;

C. The proponent shall pay the cost of each parking space required in subsection (A) of this section based on an area of four hundred five square feet of required development land area for each parking space;

D. The appropriate fee shall be paid, or improvement security posted, consistent with the requirements of this title, concurrently with the submittal of an application for a building permit to the planning department. The moneys shall be deposited in a trust account for the project. (Ord. 2345 §3 Exh. A(part), 1993).

Chapter 17.60

AIRPORT OVERFLIGHT AND NOISE IMPACT (AO) COMBINING ZONE

Sections:

- 17.60.010 Purpose.
- 17.60.015 Definitions.
- 17.60.020 Applicability.
- 17.60.030 Nonconforming uses.
- 17.60.040 Height limits.
- 17.60.050 Use restrictions.
- 17.60.060 Noise disclosure requirement.
- 17.60.070 Noise attenuation.
- 17.60.080 Administration.
- 17.60.090 Conflicting regulations.

17.60.010 Purpose. The purposes of the airport overflight combining zone are to assure the construction, maintenance or establishment of structures, uses or objects of natural growth will not constitute hazards to air navigation; to minimize public exposure to airport-related hazards; and to assure the compatibility of land uses within the vicinity of airports in the county. (Ord. 2345 §3 Exh. A(part), 1993).

17.60.015 Definitions. For definitions of terms and uses, refer to Chapter 17.06. (Ord. 2345 §3 Exh. A(part), 1993).

17.60.020 Applicability. These regulations shall be combined with the base zoning districts and shall apply to areas designated AO on the official zoning maps and airport special plan map, available in the planning department.

A. Areas to be designated as AO include all land contained within the overflight zone or areas with a noise exposure level in excess of the 55 CNEL as identified in the airport special plan (for the Maury Rasmussen Field) and any land so identified upon approval of other private and public airports;

B. All land uses and development standards of the base zone shall apply in the combining zone except when they are inconsistent with or modified by the land uses and development standards set forth in these regulations or the airport special plan;

C. Parcels or portions of parcels that are not located within the airport imaginary surfaces (as defined by federal aviation regulations), airport safety areas or within airport areas with a noise exposure level in excess of 55 CNEL, as identified in the airport special plan are not subject to the AO regulations;

D. Upon accepted documentation that the boundaries of the airport imaginary surfaces, airport safety areas, or the noise exposure level contours as identified on the official maps available in the office of the planning department are not accurate, the official maps shall be revised by the planning director to reflect the accepted boundaries. (Ord. 2345 §3 Exh. A(part), 1993).

17.60.030 Nonconforming uses. A. The regulations contained in this chapter shall not be construed to require the removal, lowering, or other change or alteration of any structure, use, or natural growth not conforming to the regulations of the effective date of Ordinance 367 and its successors. The protection of this section shall not apply to any nonconforming use which was not legally established under the provisions of the zoning ordinance in effect at the time of commencement of construction, alteration, use or occupancy;

B. Before any legally existing nonconforming structure or tree may be replaced, substantially altered or repaired, rebuilt, allowed to grow higher or replaced, a conditional use permit shall be secured pursuant to the provisions of this title. No permit shall be approved unless a finding is made that such permit shall not result in the creation or increase of a hazard to air navigation. (Ord. 2345 §3 Exh. A(part), 1993).

17.60.040 Height limits. Height limitations shall be as established in Chapter 17.62. (Ord. 2345 §3 Exh. A(part), 1993).

17.60.050 Use restrictions. A. No use may be made of lands within the approach surfaces (as defined by the federal aviation regulations) in such a manner as to create electrical interference with radio communications or navigational signals, create distracting lights or glare that may be mistaken for airport lights directed towards an operating aircraft, or create any significant source of smoke, whether from a permanent or temporary use, impairing or endangering the landing, takeoff, or maneuvering of aircraft;

B. No uses as identified in the airport special plan shall be permitted in the clear, approach, or overflight zones. (Ord. 2345 §3 Exh. A(part), 1993).

17.60.060 Noise disclosure requirement. A. To make Calaveras County landowners within the airport special plan area aware of the policies set forth, the written disclosure statement set forth in subsection B of this section shall be:

1. Provided by the transferor of real property located within the AO combining zone or within a noise exposure level in excess of 55 CNEL to the transferee of such property upon any transfer of real property by sale, exchange, installment land sale contract, lease with an option to purchase, any other option to purchase, ground lease coupled with improvements, or residential stock cooperative improved with dwelling units. The transferor shall require the transferee to sign a written disclosure statement set forth in subsection B of this section;

2. Provided by the Calaveras County planning department to applicants for discretionary development permits including but not limited to subdivision, conditional use permits, and design permits for property located within the AO zone or within a noise exposure level in excess of 55 CNEL. Each discretionary development permit shall include a condition that the owner of the property shall be required to sign a disclosure statement containing the language set forth in subsection (B) of this section.

B. Real property located within the vicinity of the airport may be subject to inconveniences or discomfort pertaining to noise arising from operation of the airport. Calaveras County has determined that the operation of the public use airport is a benefit to the general public, and a proper and necessary use, and will not consider the inconveniences or discomforts of noise arising from the operation of the airport as a nuisance, if such operations are consistent with accepted practices and standards of the airport operation. (Ord. 2345 §3 Exh. A(part), 1993).

17.60.070 Noise attenuation. All residential structures located within the 55 CNEL contour shall comply with Title 25 of the California Administrative Code to attenuate exterior noise such that interior noise levels shall not exceed 45 CNEL in any habitable room. In order to comply, an acoustical analysis report must be prepared and submitted with the building application. (Ord. 2345 §3 Exh. A(part), 1993).

17.60.080 Administration. No building permit or development permit or other entitlement for use shall be issued by the county for any development or activity within areas designated AO on the zoning maps until such develop-

ment or activity has been reviewed and found to be in compliance with this chapter. (Ord. 2345 §3 Exh. A(part), 1993).

17.60.090 Conflicting regulations. In the event there are conflicting regulations between the requirements of this chapter, and other local, state or federal requirements, the strictest interpretation shall apply. (Ord. 2345 §3 Exh. A(part), 1993).

Chapter 17.62AIRPORT HEIGHT LIMITATIONSections:

- 17.62.010 Purpose and intent.
- 17.62.020 Applicability.
- 17.62.030 Types of surfaces.
- 17.62.040 Types of zones.
- 17.62.050 Height limitation--Generally.
- 17.62.060 Height limitations--Exceptions.
- 17.62.070 Use restrictions.
- 17.62.080 Nonconforming uses.
- 17.62.090 Conflicting regulations.
- 17.62.100 Diagram of types of surfaces.

17.62.010 Purpose and intent. The purpose of this chapter is to provide a safe operation for aircraft at designated airports by limiting the height of objects in the vicinity of airports. In any zone where the zoning symbol is followed by "HL," the requirements of this chapter shall apply. The zoning symbol shall constitute the "base" zone and an "HL" suffix shall constitute the added restrictions as provided in this chapter. (Ord. 1810 §2(part), 1986; Ord. 1235 Attachment A(part), 1980: Ord. 945 §53.01, 1978).

17.62.020 Applicability. The provisions of this chapter shall affect land surrounding the New Calaveras County Airport immediately upon its effective date. The provision of this chapter shall apply to land around other airports, as approved by the board of supervisors. (Ord. 1810 §2 (part), 1986; Ord. 1235 Attachment A(part), 1980: Ord. 945 §53.19, 1978).

17.62.030 Types of surfaces. Land around airports is placed in various surface categories, depending upon the location of that land relative to the location and orientation of the airport. The surfaces, which are defined in Chapter 17.06, include the airport approach surface, airport transitional surface, airport horizontal surface and airport conical surface. (Ord. 1810 §2(part), 1986; Ord. 1235 Attachment A(part), 1980: Ord. 945 §53.03, 1978).

17.62.040 Types of zones. Land around airports is placed in various surface categories, depending upon the location of that land relative to the location and orientation of the airport. The surfaces, which are defined in Chapter 17.06, include the airport utility runway, airport visual approach zone, airport transitional zone, airport horizontal zone and airport conical zone. An area located

in more than one of the zones identified in this section is considered to be only in the zone with the more restrictive height limitations. (Ord. 1810 §2(part), 1986; Ord. 1235 Attachment A(part), 1980: Ord. 945 §53.05, 1978).

17.62.050 Height limitation--Generally. Height limitations are established for the following zones:

A. Airport Utility Runway Visual Approach Zone.

Slopes twenty feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of five thousand feet along the extended runway centerline;

B. Airport Transitional Zones. Slope seven feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of one hundred fifty feet above the airport elevation;

C. Airport Horizontal Zone. Established at one hundred fifty feet above the airport elevation;

D. Airport Conical Zone. Slopes twenty feet outward for each foot upward beginning at the periphery of the horizontal zone and at one hundred fifty feet above the airport elevation and extending to a height of three hundred fifty feet above the airport elevation.

Except as otherwise provided in this chapter, no structure shall be erected, altered, or maintained, and no tree shall be allowed to grow in any zone created by this chapter to a height in excess of the applicable height limit established in this chapter for such zone. (Ord. 1810 §2(part), 1986; Ord. 1235 Attachment A(part), 1980: Ord. 945 §53.07, 1978).

17.62.060 Height limitations--Exceptions. Nothing in this chapter shall be construed as prohibiting the construction or maintenance of any structure, or growth of any tree to a height up to thirty-five feet above the surface of the land. (Ord. 1810 §2(part), 1986; Ord. 1235 Attachment A(part), 1980: Ord. 945 §53.09, 1978).

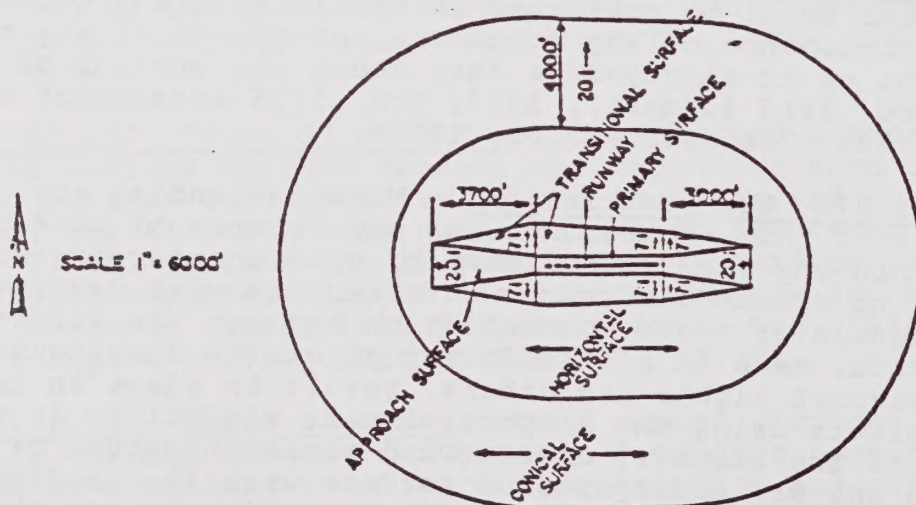
17.62.070 Use restrictions. Notwithstanding any other provisions of this chapter, no use may be made of land or water within any zone established by this chapter in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport. (Ord. 1810 §2(part), 1986; Ord. 1235 Attachment A(part), 1980: Ord. 945 §53.11, 1978).

17.62.080 Nonconforming uses. A. The regulations prescribed by this chapter shall not be construed to require the removal, lowering, or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of Ordinance 1235, codified in this chapter, or otherwise interfere with the continuance of nonconforming use. Nothing contained in this chapter shall require any change in the construction or alteration of any structure which was begun prior to the effective date of Ordinance 1235, codified in this chapter.

B. Notwithstanding the provision of subsection A of this section, the owner of any existing nonconforming structure or tree is required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the board of supervisors to indicate to the operators of aircraft in the vicinity of the airport that the presence of such airport obstructions exist. Such markers and lights shall be installed, operated, and maintained at the expense of the county. (Ord. 1810 §2(part), 1986; Ord. 1235 Attachment A(part), 1980: Ord. 945 §53.13, 1978).

17.62.090 Conflicting regulations. Where this chapter imposes a greater or more stringent restriction upon the use of land than is imposed or required by any other ordinance or regulation, the provisions of this chapter shall govern. (Ord. 1810 §2(part), 1986; Ord. 1235 Attachment A(part), 1980: Ord. 945 §53.13, 1978).

17.62.100 Diagram of types of surfaces. The following diagram graphically shows the surfaces identified in Section 17.62.030:



(Ord. 1810 §2(part), 1986; Ord. 1235 Attachment A(part), 1980: Ord. 945 §53.17, 1978).

SUBTITLE IV. PERFORMANCE STANDARDS

Chapters:

<u>17.64</u>	<u>Development Agreements</u>
<u>17.66</u>	<u>Accessory Dwellings</u>
<u>17.68</u>	<u>Business in the Home</u>
<u>17.70</u>	<u>Parking</u>
<u>17.72</u>	<u>Signs and Billboards</u>
<u>17.74</u>	<u>Roads</u>

Chapter 17.64DEVELOPMENT AGREEMENTS*Sections:

17.64.010	Purpose.
17.64.020	Permitted uses.
17.64.030	Conditional uses.
17.64.040	Hazardous and toxic materials.
17.64.060	Limitations.
17.64.070	Effective date of development agreements.
17.64.080	Application procedure.
17.64.090	Minimum requirements.
17.64.100	Contents.
17.64.110	Planning director review.
17.64.120	Planning commission recommendation.
17.64.130	Board of supervisors action.
17.64.140	Annual review.
17.64.150	Enforcement.
17.64.160	Environmental review.

17.64.010 Purpose. The purpose of this chapter is to establish local procedures for the implementation of Title 7, Division 1, Chapter 4, Article 2.5, commencing with Section 65864 of the California Government Code. The intent of a development agreement is to provide established standards for the development of lands in the county, and to use efficiently governmental and private sector services with the least possible public and private expense and to attain the greatest possible benefit to the people of the county and project developers.

A subject property with a development agreement shall be rezoned into the development agreement (DA) designation, which is an indication that a development agreement has

* Prior ordinance history: Ords. 1810, 1538.

been executed for the property. The DA designation is not a combining district, but an official zoning map designation that a development agreement exists. (Ord. 2345 §3 Exh. A(part), 1993).

17.64.020 Permitted uses. All of the permitted uses in the base zoning district shall be permitted for the subject property. (Ord. 2345 §3 Exh. A(part), 1993).

17.64.030 Conditional uses. All of the conditional uses in the base zoning district shall be permitted without the requirement of obtaining a conditional use permit, except for the conditional uses enumerated in Section 17.42.030, which shall require a conditional use permit. (Ord. 2345 §3 Exh. A(part), 1993).

17.64.040 Hazardous and toxic materials. The provisions of Sections 17.40.035, 17.42.035, and 17.44.035 shall apply to all development agreements. (Ord. 2345 §3 Exh. A(part), 1993).

17.64.060 Limitations. Use of a development agreement is limited to the discretion of the board of supervisors on any parcel of land within the county. (Ord. 2345 §3 Exh. A(part), 1993).

17.64.070 Effective date of development agreements.
A. A development agreement shall take effect upon the date of recordation with the county clerk following board of supervisors approval.

B. Development permits may be sought for a project for which a development agreement is proposed prior to the effective date of the agreement, provided that the requirements of the existing zoning district are satisfied. (Ord. 2345 §3 Exh. A(part), 1993).

17.64.080 Application procedure. A project proponent may initiate a request for a development agreement as a condition of project approval or as an independent action.

A. To initiate proceedings, the project proponent shall submit a request in writing to the planning director to prepare a development agreement. The draft agreement may be prepared by the project proponent, by a consultant or person of the proponent's selection, or it may be prepared by the planning department.

B. The board of supervisors may approve a fee to offset the cost of preparing and reviewing a development agreement. (Ord. 2345 §3 Exh. A(part), 1993).

17.64.090 Minimum requirements. The subject property of a development agreement shall be within, or have an application submitted to include the property within the

planned development combining district or development agreement designation. (Ord. 2345 §3 Exh. A(part), 1993).

17.64.100 Contents. A. A development agreement shall, at a minimum, address the following issues:

1. Permitted uses of the property;
2. Density or intensity of use;
3. Maximum height and size of proposed buildings;
4. Provisions for reservation or dedication of land for public purposes;
5. Duration of the agreement;
6. Provisions for good-faith compliance, annual review, and means of amendment;
7. Definitions applicable to the agreement;
8. A statement of findings in conformance with state law and this chapter;

B. A development agreement may address the following issues:

1. Road construction and maintenance in conformance with the provisions of Chapters 12.02 and 16.11, including phasing or scheduling of improvements;
2. Fire protection and suppression in conformance with the requirements of the responsible fire protection agency;
3. Provisions for potable water;
4. Provisions for disposal of liquid, solid and hazardous wastes;
5. Development design and architectural standards;
6. Site development standards, including building setbacks, landscape buffers, parking setbacks and medians (where applicable);
7. Landscaping, including common areas;
8. Parking requirements;
9. Sign requirements in conformance with Chapter

17.72;

10. Terms and conditions relating to applicant financing of necessary public facilities and subsequent reimbursement over time. (Ord. 2345 §3 Exh. A(part), 1993).

17.64.110 Planning director review. The initial version of the proposed development agreement shall be reviewed by the planning director and submitted to responsible agencies and districts. (Ord. 2345 §3 Exh. A(part), 1993).

17.64.120 Planning commission recommendation. The planning commission shall review the development agreement after it has been prepared to the satisfaction of the planning director. The planning commission shall make its recommendation following a public hearing for which notice was published and mailed in conformance with the provisions in Chapter 17.88. The commission may recommend approval of

the agreement as written, approval with modifications or denial. (Ord. 2345 §3 Exh. A(part), 1993).

17.64.130 Board of supervisors action. The development agreement, along with the commission's recommendation, shall be scheduled before the board of supervisors at a public hearing for which notice was published and mailed in conformance with the provisions of Chapter 17.88. The board of supervisors decision shall be final. (Ord. 2345 §3 Exh. A(part), 1993).

17.64.140 Annual review. The development agreement shall be the subject of an annual review for compliance on the anniversary of execution. The planning director shall conduct the review, and shall place a notice of his findings in the project file, with copies mailed to the parties to the agreement. If no activity has commenced during the previous twelve-month period, the annual review is postponed for one year. (Ord. 2345 §3 Exh. A(part), 1993).

17.64.150 Enforcement. Violations of the development agreement shall be considered violations of this title, enforceable as a misdemeanor or an infraction pursuant to Chapter 17.100. (Ord. 2345 §3 Exh. A(part), 1993).

17.64.160 Environmental review. A. A development agreement for a project for which an environmental document has been prepared in relation to a subdivision, use permit or design permit, shall be a categorical exemption from the provisions of CEQA under the county of Calaveras CEQA guidelines.

B. A development agreement for which no previous discretionary approval has been considered, or which is proposed concurrently with another discretionary project, shall be subject to the provisions of CEQA. (Ord. 2345 §3 Exh. A(part), 1993).

Chapter 17.66ACCESSORY DWELLINGS*Sections:

- 17.66.010 Purpose.
- 17.66.020 Minimum requirements.
- 17.66.030 Application procedure.
- 17.66.040 Development standards.
- 17.66.050 Conversion of existing home to an accessory dwelling, or simultaneous construction.
- 17.66.060 Findings.

17.66.010 Purpose. A. The purpose of an accessory dwelling is to provide opportunities for affordable rental housing, accommodations for family members, and to implement Section 65852.2 of the California Government Code.

B. Accessory dwellings serve the following purposes:

1. Increased opportunity to meet unmet housing needs;
2. Housing for relatives no longer capable of independently caring for themselves;
3. Provide residences for agriculture caretaking and security personnel;
4. Provide guest quarters for nonpaying visitors.

C. This chapter accomplishes the following purposes:

1. Provides performance standards;
2. Provides a means of evaluation for impact upon public facilities and services, including school enrollment, fire protection system, road level of service, water supply and means of sewage disposal;
3. Provides an opportunity for a public hearing and notification of adjoining property owners and responsible property owner associations;
4. Prevent the use of accessory dwellings as transient rental or occupancy units;
5. Replaces the requirements for guest houses.

D. Accessory dwellings are a state-mandated local program, and are categorically exempt from review under provisions of the California Environmental Quality Act.

E. Accessory dwellings are legislated densities in excess of the density permitted by the general plan. A finding of general plan consistency is not required. (Ord. 2289 §3(part), 1992).

* Prior ordinance history: Ords. 1581, 1603 and 1810.

17.66.020 Minimum requirements. In order to be considered for an accessory dwelling permit, the following circumstances shall be satisfied:

A. The subject property shall be no less than one acre in size. A parcel of .99 acres does not qualify for an accessory dwelling.

B. There shall be an existing single-family residence on the subject property which is occupied by the property owner as the permanent primary residence of the property owner as evidenced by a homeowners' exemption carried on the latest equalized assessor rolls, except in the case of simultaneous construction as authorized in Section 17.66.050 of this chapter. Failure to maintain the primary, permanent residence shall be grounds for revocation of the accessory dwelling permit resulting in a prohibition of further occupancy of the accessory dwelling.

C. No more than one accessory dwelling shall be permitted on any legally existing parcel of land. (Ord. 2289 §3(part), 1992).

17.66.030 Application procedure. A. An application for an accessory dwelling permit shall be filed with the planning director pursuant to Chapter 17.82.

B. An accessory dwelling application is subject to all school district fees, fire district fees, and any other applicable special district requirements which would normally be applied to a subdivision of two parcels.

C. Accessory dwelling applications shall be submitted to all responsible and trustee agencies as if an application for a two parcel subdivision were being considered by the county.

D. The planning director may approve accessory dwelling permits, provided that all development standards are met and that no public or agency objections are received.

E. The planning commission shall hold a public hearing in the event that a public or agency protest is received within the time frame specified by the planning department during the processing period. The planning commission shall consider all of the recommendations of responsible and trustee agencies, property owner associations and interested members of the public prior to making a decision. (Ord. 2289 §3(part), 1992).

17.66.040 Development standards. Accessory dwellings shall meet the following development standards:

A. Accessory dwellings may be attached or detached.

B. Accessory dwellings shall be permanent structures conforming to the building code requirements of Title 15 of this code.

C. The accessory dwelling shall not be used for sale, financing or any other means or basis of subdivision of the original subject property pursuant to any partition, condo-

minium plan, community apartment project, stock cooperative, parcel map, subdivision map or gift deed.

D. The accessory dwelling shall conform to current performance standards and site development standards of the base zoning district in which the subject property is located. If the subject property is within the HS or U interim base zoning districts, an application for rezoning to an appropriate zoning district shall accompany the application.

E. Off-street parking shall be provided at the rate of one parking space per bedroom in the primary and accessory dwelling with a maximum of four parking spaces. All parking spaces shall be located outside of the front setback.

F. Applicable building code requirements, domestic water supply requirements, sewage disposal requirements and fire protection codes shall be satisfied.

G. When an accessory dwelling is not served by a public water system, the existing well(s) shall be tested via a four-hour pump test to the satisfaction of the environmental health department. Depending on the test results, the following shall apply:

1. Ten gallons per minute: no additional requirements;

2. Five to ten gallons per minute: one thousand five hundred gallons of water storage, of a type suitable to the environmental health department, or a second well providing a minimum of five gallons per minute shall be provided;

3. For less than five gallons per minute, an accessory dwelling shall not be permitted.

H. A mobile home on a permanent foundation is permitted as an accessory dwelling if a mobile home would be permitted as the primary dwelling on the same parcel.

I. Accessory dwellings shall be subject to payment of general road improvement fees. (Ord. 2289 §3(part), 1992).

17.66.050 Conversion of existing home to an accessory dwelling, or simultaneous construction. When a property owner is residing in an existing house on the subject property, and wishes to construct a second home to become the primary dwelling, but maintains the original home for residential occupancy, the planning department may include a condition that the existing structure be deemed the accessory dwelling upon completion and occupancy of the new structure. Simultaneous construction of both a primary and accessory dwelling is permitted, upon approval by the planning department. A condition shall be included which requires that the primary dwelling unit be occupied as the permanent, primary resident of the land owner prior to occupancy of the accessory dwelling. The department may also require the property owner to submit verification that

a homeowner's exemption has been applied for inclusion in the next assessment roll. All requirements as specified above may also be required by the commission in the event that the project requires planning commission action.. (Ord. 2289 §3(part), 1992).

17.66.060 Findings. The accessory dwelling permit shall be denied if any of the following findings are substantiated:

A. The construction of the accessory dwelling will result in an unmitigated impact on water supply, sewage disposal systems, access roads, fire protection system or school district enrollment.

B. The subject property is less than one acre.

C. The accessory dwelling does not comply with the requirements of Section 17.66.040 of this chapter. (Ord. 2289 §3(part), 1992).

Chapter 17.68

BUSINESS IN THE HOME

Sections:

- 17.68.010 Purpose.
- 17.68.020 Residential occupation.
- 17.68.030 Rural home business.
- 17.68.040 Rural home medical clinic.
- 17.68.050 Rural veterinarianian clinic.
- 17.68.060 Enforcement.

17.68.010 Purpose. The purpose of this chapter is to provide performance standards to ensure the right of an individual to reasonably pursue an occupation on the property on which he or she resides, while keeping in mind that such a right shall not interfere with the reasonable peace and enjoyment of those residing on adjoining parcels and in the general vicinity. (Ord. 1792 §1(part), 1986).

17.68.020 Residential occupation. A residential occupation is permitted in the interim, resource, and residential zones:

A. Location of Business. A residential occupation shall be located within the residence, garage or workshop. The occupation shall be subservient to the use of the property for residential purposes. At no time shall the area allocated to the business exceed more than twenty-five percent of the building area on the parcel. As an example, if there is a garage and house on the property with combined square footage totalling two thousand square feet, the area

devoted to the business is limited to five hundred square feet.

B. Traffic Generation. No residential occupation shall be permitted when it may be reasonably determined that the success of the business is based on clients or customers coming to the residence in order to conduct business. It is understood that virtually all businesses require occasional customer visits to the place of business; however, in the case of residential occupations, this should clearly be the exception rather than the rule.

C. Potential Nuisance. Residential occupations are subservient to other residential uses in the general vicinity. Such occupations shall be operated in a manner so that the business use is not the cause of repeated and legitimate complaints about noise, dust, odor or appearance.

D. Change in Appearance. No alteration, addition or new construction shall be permitted which would cause the appearance of the property to assume any aspect of housing a business except for a sign consistent with this section.

E. Sign. A single-sided sign without illumination is permitted, provided that the sign is mounted on the residence, and is no larger than twelve inches in height and twenty-four inches in length.

F. Employees. No employees, other than members of the immediate family residing in the home may be employed as part of the business conducted in the residence. This section is not intended to limit the number of employees of the business who may work elsewhere and occasionally come to the residence in the course of business.

G. Contractors, Truck Operators, Heavy Equipment Operators, Appliance Repair Business. A proprietor of one of the previously listed or similar businesses is permitted to use the provisions of this section provided that the following standards are satisfied on an ongoing basis:

1. Storage of Materials. Materials used on a job may be stored in the place of residence provided that all such storage is maintained in a neat and orderly appearance

in conformance with the provisions of subdivision A of this section, and the base zoning district in which the property is located;

2. Contractor Vehicles. Light commercial and utility vehicles used by the proprietor for travel from home to the job site may be kept at the residence on a regular basis;

3. Heavy Equipment, Commercial Trailers, Rigs, Backhoes. Commercial and heavy equipment shall not be stored, parked or repaired at the residence.

H. Upon request, the proprietor may be required to submit proof of residence. (Ord. 1792 §1(part), 1986).

17.68.030 Rural home business. A rural home business is permitted in the GF, TP, A1, AP, RA, RR, U and HS zones on parcels of one acre or more, except within community plan and special plan areas, when a minimum of two acres is required, and upon obtaining a business license from the county and subject to the following provisions:

A. Location of the Business. A rural home business shall be clearly incidental and subservient to the use of the property for residential purposes. A rural home business may take place in a home, garage, existing outbuildings, or a building constructed for the purposes of the business. The area devoted to the business shall not exceed thirty-three percent of the total area of all structures on the property. For example, if the building on the parcel totals two thousand four hundred square feet, the space allocated to the rural home businesses may not exceed eight hundred square feet.

B. Traffic Generation. No rural home business shall be permitted when it may be reasonable determined that the success of the business has a predominate reliance on customer or client traffic coming to the business location. It is understood that rural home businesses may generate limited levels of direct customer traffic, but as a general rule, the number of vehicles coming to the business on a regular basis should be similar in number to the average daily traffic levels generated by a residence.

C. Potential Nuisance. Rural home businesses are subservient to the other residential uses in the general vicinity. Such businesses shall be operated in a manner so that the business use is not the cause of repeated and legitimate complaints concerning the operation of the business.

D. Change in Appearance. No alteration, addition or new construction shall be permitted which would cause the appearance of the property to assume any aspect of housing a business, except for a sign consistent with this section.

E. Sign. A double-face sign without illumination is permitted, provided that no face of the sign exceeds eight square feet. The maximum sign area is sixteen square feet.

F. Employees. In addition to members of the family residing on the property, one additional full-time or part-time employee may be part of the business. If additional employees are required or anticipated, it is likely that the proposed business should be considered a rural home industry, and obtain necessary approvals pursuant to Chapter 17.32.

G. Contractors, Truck Operators, Heavy Equipment Operators, Appliance Repair Business. A proprietor of one of the preceeding, or similar businesses is permitted to use the provisions of this section, provided that the following standards are satisfied on a continuing basis:

1. Storage of Materials. Materials to be used on a job may be stored at the rural home business location, provided that all such materials are maintained in a neat and orderly appearance;

2. Contractor Vehicles. Light commercial and utility vehicles used by a contractor to travel from home to a job site are permitted to be kept on a regular basis on the subject property. Trailers, lowboys, heavy equipment, backhoes, and other similar equipment or trailers may be kept on the subject property, provided that the items are garaged within a building;

3. Equipment Maintenance. Repair and maintenance of personally owned and operated equipment shall be kept to a minimum, and conducted in a manner so that noise, odor, dust and smoke from such repairs and maintenance do not become a nuisance.

H. No rural home business shall be permitted within an accessory dwelling.

I. Upon request, the proprietor of a rural home business may be required to provide proof of residency. (Ord. 1792 §1(part), 1986).

17.68.040 Rural home medical clinic. A rural home medical clinic is permitted in the U, GF, TP, Al, AP, RA and RR zones on parcels of five acres or larger upon obtaining a business license from the county, any necessary health department permits, and subject to the following provisions:

A. Location of the Business. A rural home medical clinic (RHMC) is permitted within the residence of an out-building. The clinic shall be subservient to the use of the property as a residence. The area devoted to the clinic shall not exceed fifty-percent of the total square footage of all structures on the property. For example, if the house, garage and barn total three thousand square feet, the area devoted to the clinic shall not exceed one thousand five hundred square feet.

B. Parking Area. An area meeting the parking design requirements of subsection A of Section 17.70.030 for four vehicles, not including the two parking spaces required for

the residence shall be provided and improved prior to the use of the RHMC. The paving requirements of Section 17.70.050 shall be waived. The parking area shall be improved with a surface of aggregate base Class 2, with a minimum depth of four inches.

C. Potential Nuisance. The RHMC shall be conducted in a professional manner so as not to become the cause of repeated and legitimate complaints about the operation of the clinic. The handling, storage and disposal of hazardous substances and pathological wastes shall comply with the requirements of the county health officer.

D. Change in Appearance. No alteration, addition or new construction shall be permitted which would cause the appearance of the property to assume any aspect other than residential, except for the parking area and a sign pursuant to this section.

E. Sign. A double-face sign without illumination is permitted, provided that the sign is no larger than eight square feet on any one side. Maximum total sign area is sixteen square feet.

F. Employees. Rural home medical clinics are permitted a total of four employees, whether or not the employees are family members of the practitioner.

G. Overnight Care. Patients of the clinic shall not be kept overnight.

H. No rural home medical clinic is permitted in an accessory dwelling.

I. The rural home medical clinic shall be located at the primary residence in the county of the practitioner. Proof of primary residency may be required. This section is not intended to limit the ability of a person who has a practice in another country from also establishing a part-time RHMC in the county, provided that when the practitioner is at work in the county, the operator is residing at the RHMC. (Ord. 1792 §1(part), 1986).

17.68.050 Rural veterinarian clinic. A rural veterinarian clinic is permitted on parcels of five acres or more in the GF, TP, Al, AP, RA and RR zones upon approval and validation of a conditional use permit pursuant to this title, and subject to the provisions of this section.

A. Location of the Business. A rural veterinarian clinic (RVC) is permitted within the residence or an out-building. The clinic shall be subservient to the use of the property as a residence. The area devoted to the clinic shall not exceed fifty percent of the total square footage of all structures on the property. For example, if the total area of the house, barn and garage is equal to three thousand square feet, the area devoted to the clinic shall not exceed one thousand five hundred square feet.

B. **Parking Area.** An area meeting the parking design requirements of subsection A of Section 17.70.030 for four vehicles, not including the two parking spaces required for the residence, shall be improved prior to the commencement of use of the RVC. In addition, if the clinic is to treat commercial livestock or large animals, there shall be a portion of the parking area that is large enough to accommodate a pickup truck towing an animal. The paving requirements of Section 17.70.050 shall be waived. The parking area surface shall be improved with aggregate base Class 2 to a minimum depth of four inches.

C. **Potential Nuisance.** Rural veterinarian clinics shall be conducted in a professional manner so as not to become the cause of repeated and legitimate complaints concerning the operation of the clinic. Storage, handling and disposal of hazardous substances and pathological waste shall comply with the requirements of the county pathological waste shall comply with the requirements of the county health officer.

D. **Change in Appearance.** To the greatest extent possible, the appearance of the subject property shall be such that the facilities used as the RVC do not detract from the residential appearance of the area.

E. **Sign.** A double-faced sign without illumination is permitted, provided that the sign is no larger than eight square feet on any one side. Maximum total sign area is sixteen square feet.

F. **Employees.** A rural veterinarian clinic may employ, in addition to the resident veterinarian and family members employed at the clinic, one additional veterinarian, and two other employees.

G. A rural veterinarian clinic is not permitted in an accessory dwelling.

H. **Boarding.** Animals under the care of a veterinarian may be boarded overnight if required for medical care, and if permitted under the terms of the conditional use permit. Such animals shall be kept inside a building overnight. General commercial boarding is not permitted as part of an RVC. If the commercial kennel land use is permitted in the base zoning district, a separate use permit review is required for the commercial kennel, even though it may be contained on the same application as the RVC.

I. The rural veterinarian clinic shall be the primary residence of at least one of the veterinarians involved in the operation of the clinic. Proof of primary residency may be required. (Ord. 1792 §1(part), 1986).

17.68.060 Enforcement. In the event of a violation of this chapter, the planning director may first take action to determine if the license holder may apply for an amendment

to the general plan or zoning ordinance to reclassify the subject property into a land use designation or zoning district in which it is a permitted or conditional use. If such a remedy is not possible, the planning director shall proceed with enforcement provisions pursuant to this title. (Ord. 1792 §1(part), 1986).

Chapter 17.70

PARKING*

Sections:

- 17.70.010 Purpose.
- 17.70.020 Required.
- 17.70.030 Standard county off street parking design.
- 17.70.040 Off-street parking requirements.
- 17.70.050 Paved surfaces.
- 17.70.060 Marking.
- 17.70.070 Parking for the handicapped.
- 17.70.080 Interior traffic circulation.
- 17.70.090 Illumination.
- 17.70.100 Access control.
- 17.70.110 Encroachments.
- 17.70.140 Completion of the parking area.
- 17.70.150 Conversion of use, rezoning.

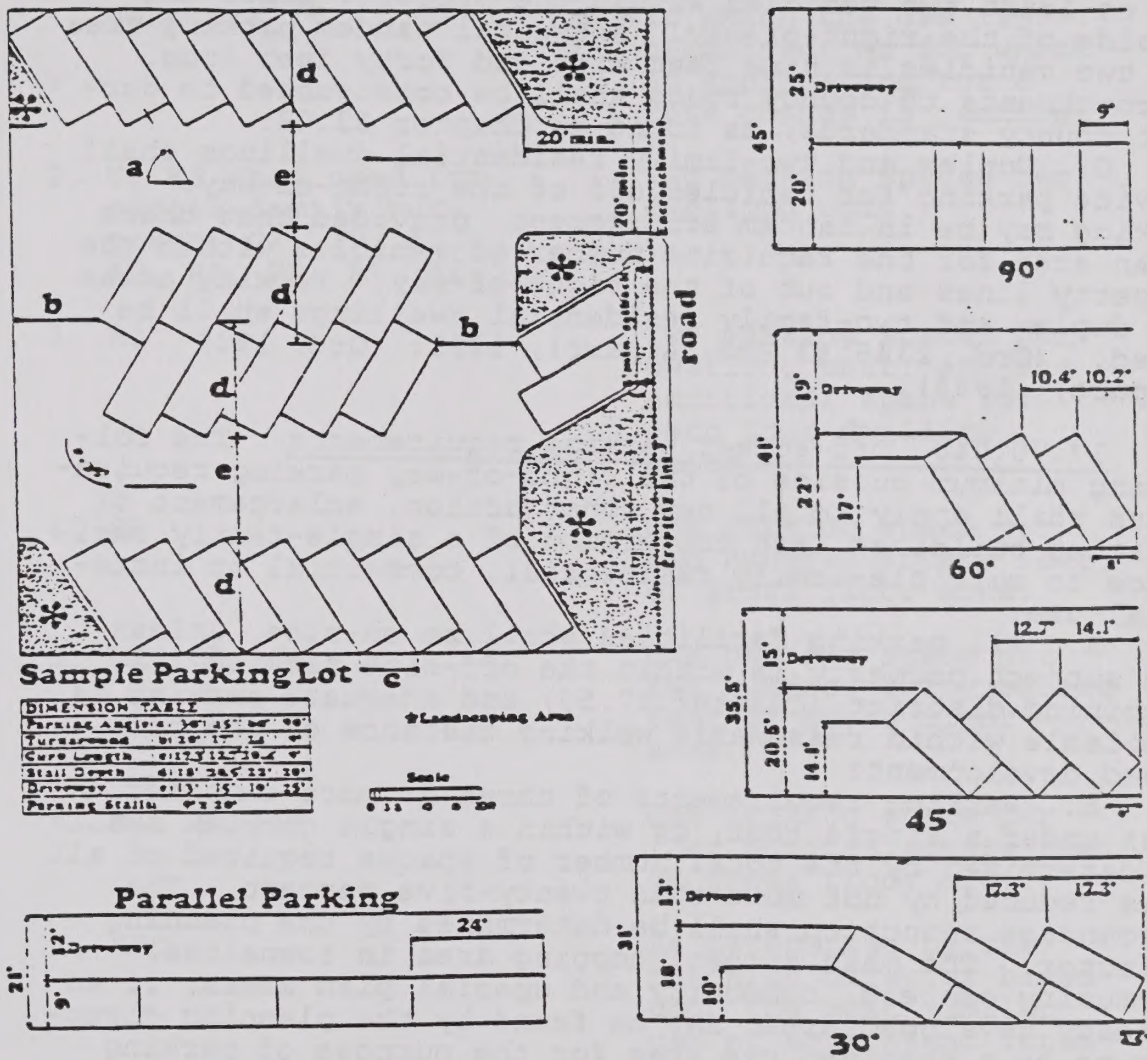
17.70.010 Purpose. The purpose of this chapter is to provide standard parking requirements to ensure that all land uses have adequate parking, and to ensure that parking is usable and will not impede the flow of traffic or create hazards for pedestrians. (Ord. 2345 §3 Exh. A(part), 1993: Ord. 1809 §1(part), 1986).

17.70.020 Required. All land uses are required to meet the parking requirements of this chapter at the time of new construction, rezoning, or conversion of a single-family residence to multiple-family, commercial, or industrial use. (Ord. 2345 §3 Exh. A(part), 1993: Ord. 1809 §1(part), 1986).

17.70.030 Standard county off-street parking design.
A. Commercial, multiple-family residential, recreation and industrial parking lot design shall comply with the minimum requirements as set forth in Figure 1, except assigned

* Prior ordinance history: Chapter 17.70 was revised by Ord. 1810. Provisions of Chapter 17.70 were formerly codified at Chapter 17.62 deriving from Ord. 1687.

Figure 1



tandem parking is permitted for multifamily residential. (For single-family and two-family residential, see subsections (B) and (C) of this section);

B. Single-family residential parking areas shall provide parking for vehicles off of the right-of-way. Parking may be in tandem arrangement provided that there is an area for at least two vehicles within the property lines and outside of the right-of-way. A typical tandem parking area for two vehicles is nine feet wide and forty feet long. Encroachments to county roads shall be constructed to current county standards, as found in Chapter 12.08;

C. Duplex and two-family residential dwellings shall provide parking for vehicles off of the right-of-way. Parking may be in tandem arrangement, provided that there is an area for the requisite number of vehicles within the property lines and out of the right-of-way. Parking areas for duplex and two-family residential dwellings shall be paved. (Ord. 2345 §3 Exh. A(part), 1993: Ord. 1809 §1(part), 1986).

17.70.040 Off-street parking requirements. The following minimum outside of the right-of-way parking requirements shall apply to all new construction, enlargement of existing buildings, and conversion of a single-family residence to multiple-family residential, commercial or industrial use:

A. All parking facilities shall be on-site, unless the subject property is within the off-site parking (PX) combining district (Chapter 17.59) and adequate parking is available within reasonable walking distance of the proposed development;

B. Parking requirements of three or more combined uses under a single roof, or within a single complex shall be determined by the total number of spaces required of all uses reduced by not more than twenty-five percent. The percentage reduction shall be determined by the planning director. The main street shopping area in townsites, community centers, community and special plan areas, if an already developed area, may be found by the planning director to be a combined use area for the purpose of parking reduction;

C. Perimeter Planting Strips. For all uses, except single-family dwellings, all off-street parking facilities abutting a public street or highway, excepting those portions comprising driveways or pedestrian walkways, shall be bounded on the street or highway side or sides by a planting strip with a minimum of three feet of vegetation;

D. The required number of parking spaces is calculated using the following criteria (or subsection (E) of this section) and is based upon the existing and new development, except when an expansion of an existing use is less

than twenty-five percent, the number of spaces is calculated based upon the new construction:

<u>Zoning District</u>	<u>Parking Requirement</u>
1. U, HS when used for non-single-family purposes	Must meet the parking requirement of the zone in which the use is permitted, or for which an application for a zone change is pending.
2. U, HS when used for single-family purposes, GF, TP, A1, AP, RA, RR, R1, R2	Two parking spaces per dwelling unit.
3. R3	Two parking spaces per dwelling unit, and one additional space for each four dwelling units.
4. C2	One parking space per two hundred square feet of gross floor area.
5. RC, C1, CP	One parking space per two hundred fifty square feet of gross floor area.
6. M1, M2, M4	One parking space per four hundred square feet of gross floor area.
7. REC	As determined by the planning director based upon the most similar use of equivalent intensity.
8. PS, RM	Per approved development plan, with a minimum of two parking spaces.
9. MH	Two parking spaces for each unit, plus one guest space for each four units, and one recreation vehicle space for each five units.

10. Use permits

Minimum parking specified above or per approved plot plan.

E. Upon the advance approval of the planning director, if a structure is found to be designed towards one of the following specific uses, the parking requirements of this subsection may be substituted in lieu of the parking requirements in subsection (D) of this section:

<u>Use</u>	<u>Parking Requirement</u>
1. Vehicle service center, repairs	One parking space per eight hundred square feet of gross floor area, plus two parking spaces for each service bay with a minimum of four spaces.
2. Campgrounds	Two parking spaces for each campsite, plus one recreation vehicle space per each four campsites.
3. Hotel, motel, bed and breakfast inn, inn, lodge	One parking space for each unit, plus additional parking equal to ten percent of the number of units with a minimum of two additional spaces.
4. Restaurant	One parking space for each four persons of capacity, including outdoor dining areas. Capacity is the customer area divided by fifteen.
5. School Elementary, middle school High school College	One-and-one-half parking spaces per classroom. One parking space per each five seats. One parking space per each three seats.
6. Warehousing	One parking space per one thousand feet of gross floor area.

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|---|--|
| 7. Places of assembly, auditorium, churches, recreation centers, theaters | One parking space for each three persons of capacity. Capacity is the public area divided by fifteen. |
| 8. Hospitals | One and one-half parking spaces per bed. |
| 9. Residential care home, nursing home | One parking space for each three beds. |
| 10. Medical clinics | Two parking spaces per treatment or doctor office examination room. |
| 11. Common area facility | One parking space for each three persons of capacity. Capacity is the public area divided by fifteen. If there is to be an office or manager office in the facility, an addition of one parking space for each two hundred fifty square feet of office floor area is required. |
| 12. Ministorage | One parking space per two hundred fifty square feet of office area, with a minimum of two spaces. |
| 13. Golf course | Three parking spaces per hole, plus the requirements for any additional uses. |

(Ord. 2345 §3 Exh. A(part), 1993; Ord. 1782 §§1(part), 2(part), 1987; Ord. 1809 §1(part), 1986).

17.70.050 Paved surfaces. A. Other than single-family residences, campgrounds, and agriculture or timber uses, the entire surface area devoted to vehicles and pedestrians shall be paved with a minimum of four inches of aggregate base, Class 2, and a surface minimum of two inches of asphalt concrete. Concrete may be substituted for a.c. to the specifications of the department of public works.

B. The paving of driveways and parking areas serving rural home industry structures shall be paved when located at or above the three thousand-foot elevation; below three

thousand feet, paving of access and parking areas shall be at the discretion of the planning commission or local fire protection agency on the basis of projected traffic generation. (Ord. 2345 §3 Exh. A(part), 1993: Ord. 1872 §2(part), 1987; Ord. 1809 §1(part), 1986).

17.70.060 Marking. Every paved parking area shall be clearly marked and such marking shall be maintained in a visible and orderly manner. The planning director may require an existing parking area to be repainted or restriped if markings are in poor condition. Markings shall be required to be reflective paint in appropriate yellow, white or orange colors. (Ord. 2345 §3 Exh. A(part), 1993: Ord. 1809 §1(part), 1986).

17.70.070 Parking for the handicapped. There shall be one handicapped parking space for each twenty-five parking spaces, with a minimum of one space per parking lot, included as one of the required spaces under Section 17.70.040. For parking lots with more than one hundred parking spaces, the requirements of the federal Americans with Disabilities Act, Section 4.1.2, shall apply. (Ord. 2345 §3 Exh. A(part), 1993: Ord. 1809 §1(part), 1986).

17.70.080 Interior traffic circulation. A. Traffic circulation within any outdoor parking area shall be designed to ensure that no vehicle needs to use a public road to travel from one portion of the parking lot to another. Dead-end aisles shall be provided with adequate paved turn-around area at the closed end.

B. Uses with drive-through pick-up or service windows shall have circulation patterns designed to accommodate both transient parking patrons and drive-through patrons. Patrons using the parking lot shall be able to access parking spaces and exit the property by passing the drive-through area. Vehicles in line at the drive-through window during peak traffic times shall be located in such a manner so that regular parking and circulation is not subjected to interference. Drive-through lanes shall be clearly marked. Requirements shall be met if a drive-through is added to an existing use.

C. Businesses located in areas where patron traffic is likely to include recreation vehicles, vehicles towing trailers, or other unusually long vehicles, may, at the option of the planning director, be required to provide additional parking facilities for such vehicles. Driveway width and turning radii may be enlarged to accommodate the usage.

D. Design of the parking area shall include provisions for control of surface runoff waters onto adjoining property and roads as approved by the department of public works.

E. Based on the requirements of the responsible fire protection agency, access for emergency vehicles may be required. Such access may include an alternate access for emergency use only and a fire lane.

F. All parking areas above the four thousand-foot elevation shall include an area equal to ten percent of the parking area for the storage of snow removed from the parking area.

G. The maximum grade or slope of driveways and access areas on multiple-family residential, commercial and industrial parking lots shall be twenty percent at elevations of less than three thousand feet. The maximum grade or slope at the three thousand-foot elevation or above is ten percent.

H. If an existing use is remodeled to include sales of motor vehicle fuels, a parking and circulation plan shall be required to be approved by the planning director prior to the use or occupancy of the development. Parking and access shall be in compliance with this title, even in such cases where there is no addition to an existing structure.

I. If an existing vehicle service station is converted to a retail use, whether or not the fuel pumps remain in use or service, a parking and circulation plan shall be required to be approved by the planning director prior to the use or occupancy of the development. Parking and access shall be in compliance with this title, even in such cases where there is no addition to an existing structure. The fuel pump parking shall not be included as meeting the required spaces for the retail use. (Ord. 2345 §3 Exh. A(part), 1993: Ord. 1809 §1(part), 1986).

17.70.090 Lighting. Adequate lighting of parking lots and/or facilities is required. All lighting provided in conjunction with parking areas shall be installed, directed, and shielded to confine all direct rays of light within the boundaries of such facilities. (Ord. 2345 §3 Exh. A(part), 1993: Ord. 1809 §1(part), 1986).

17.70.100 Access control. A. Parking areas shall have adequate barriers, directional signs, curbs or other control features to limit access to the approved encroachments from the paved parking area.

B. Bumper guards may be installed at the option of the developer, or the requirements of any design, use, or planned development permit.

C. Parking areas shall be designed or set back so that no portion of any vehicle parked in the lot is able to extend onto adjoining property or right-of-way. (Ord. 2345 §3 Exh. A(part), 1993: Ord. 1809 §1(part), 1986).

17.70.110 Encroachments. A. Access to parking lots shall be designed and placed according to the permit requirements of the department of public works for county roads, and Caltrans for state highways.

B. Whenever possible, the planning director shall encourage the use of shared driveways and parking areas to reduce the number of driveways encroaching onto major and minor collectors, and minor arterials.

C. Whenever possible, shared encroachments or frontage roads should be integrated into parking area design. (Ord. 2345 §3 Exh. A(part), 1993: Ord. 1809 §1(part), 1986).

17.70.140 Completion of parking area. A. No use or occupancy of the structure or development, including the stocking of inventory, shall be permitted until the parking areas and encroachments have been completed to the satisfaction of the planning director.

B. If parking areas are impractical to complete due to inclement weather, and final inspection is to occur between October 1st and May 1st of the county fiscal year in which the inspection will take place, improvement security may be posted consistent with the requirements of this title if approved by the planning director. Work shall be completed by September 30th of the year following May 1st.

C. If parking areas cannot be completed due to contracting scheduling, improvement security may be posted consistent with the requirements of this title, if approved by the planning director. (Ord. 2345 §3 Exh. A(part), 1993: Ord. 1809 §1(part), 1986).

17.70.150 Finding for rezoning. A. No change of the base zoning district from residential to multiple-family residential, commercial or industrial base zones shall be approved unless one of the following findings can be substantiated:

1. The subject property is an existing commercial, multiple-family residential, recreation or industrial use and the rezoning is initiated under the provisions of the general plan or an applicable community or special plan permitting such action;

2. The subject property is undeveloped, and there is adequate land area in which to develop a parking lot meeting the requirements of this chapter;

3. The subject property is partially or fully developed, and there is an existing parking area and encroachment meeting the requirements of this chapter for the zone being approved, or a parking lot site plan has been submitted to and approved by the planning director.

B. In the event that the subject property is developed in any form at the time the zone change is approved, and there is not an adequate parking area on-site, the fol-

lowing procedures shall be used to comply with the requirements of subsection (A)(3) of this section:

1. The applicant shall submit a parking lot plan for the approval of the planning director concurrently with the application for rezoning;

2. If the parking plan is approved, the planning director may recommend to the planning commission and board of supervisors that the zoning be approved subject to findings pursuant to subsection (A)(3) of this section, and subject to the following:

a. The zoning shall not become effective until the parking area is completed,

b. The parking area shall be completed prior to September 30th of the calendar year following the date in which the ordinance is adopted;

3. The ordinance shall contain the following provisions:

a. The ordinance shall state: "Said change of zone shall become effective upon the actual, physical completion of a parking lot meeting the requirements of Chapter 17.70 and built to the design approved by the planning director for the size of the structure and any additions to said structure. No business license, or building permit for conversion of use shall be issued until the physical parking lot improvement is completed to the satisfaction of the planning director following inspection based on the requirements of Chapter 17.70. Said improvements shall be completed and approved by September 30, (insert the year), or this zone change shall be void."

b. The planning director shall record a certificate of completion with the county recorder, and shall maintain a copy of the certificate in the file of the zoning amendment upon approval of the parking facility,

c. The planning director shall cause to be placed upon the official zoning maps of the county a note indicating that the subject property has been approved for a zone change subject to completion of the parking facility according to the specific ordinance;

4. If an applicant wishes to occupy or change the use of a structure for which a rezoning has been approved by the board of supervisors under the provisions of this chapter, the applicant may then post improvement security consistent with the provisions of this title. The date that the improvement security is accepted by the planning director shall be the date that the zone change is effective, and building permits or business licenses may then be issued. Completion of the parking area shall be completed by the next September 30th following the posting of improvement security. If the date of occupancy or conversion falls between October 1st and December 31st, the maturity date of the improvement security shall be September 30th of the following calendar year. If the date of occupancy or

conversion is after January 1st, the maturity date of the improvement security shall be September 30th of the same calendar year. (Ord. 2345 §3 Exh. A(part), 1993: Ord. 1809 §1(part), 1986).

Chapter 17.72

SIGNS AND BILLBOARDS*

Sections:

- 17.72.010 Purpose.
- 17.72.020 Authority.
- 17.72.030 Exclusive regulation.
- 17.72.040 Locating on private property.
- 17.72.050 Locating in the public right-of-way.
- 17.72.060 Imitation of traffic signs prohibited.
- 17.72.070 Height limitation.
- 17.72.080 Illumination.
- 17.72.090 Subdivision signs.
- 17.72.100 On-site signs.
- 17.72.110 Directional signs.
- 17.72.120 Billboards.
- 17.72.130 Temporary signs.
- 17.72.140 Enforcement, maintenance.

17.72.010 Purpose. The purpose of this chapter is to provide consistent local regulations which shall be effective for all signs erected and maintained in the unincorporated portions of the county. (Ord. 1812 §1(part), 1986).

17.72.020 Authority. Authority to regulate signs is provided in Division 1 of Title 7, California Government Code, and Division 3, Chapter 3, California Business and Professions Code. (Ord. 1812 §1(part), 1986).

17.72.030 Exclusive regulation. This chapter shall be the sole authority for the regulation of the size, type and location of all signs in the unincorporated portions of the county. Design review criteria, adopted pursuant to this title, may specify additional requirements in relation to materials, color and placement of on-site signs on prop-

* Prior ordinance history: Chapter 17.72 is renumbered by Ord. 1810. Provisions of Chapter 17.72 were formerly codified at Chapter 17.64 deriving from Ords. 1717 and 1810.

erty within a designated design review district. (Ord. 1812 §1(part), 1986).

17.72.040 Locating on private property. All signs shall be located on private property. On-site signs shall be located on the property on which the specific legally existing business is licensed to conduct business. Billboards shall be located on private property after approval of a conditional use permit pursuant to Chapter 17.82 for lands within the C2 or M2 zones exclusively. Billboards in the PD or DR combining districts shall be subject to design approval in addition to a conditional use permit. (Ord. 1812 §1(part), 1986).

17.72.050 Locating in the public right-of-way. With the exception of signs owned, erected or maintained by or on behalf of public entities, no signs shall be located within a public right-of-way or public road easement. (Ord. 1812 §1(part), 1986).

17.72.060 Imitation of traffic signs prohibited. No sign shall be erected which contains any design, symbol or content that parodies, imitates or resembles traffic-control signs or devices. (Ord. 1812 §1(part), 1986).

17.72.070 Height limitation. A. The top of any sign structure or display area shall not be more than twenty-five feet above the average ground elevation as measured within one hundred feet of the sign, or more than ten feet above the highest point of the on-site structure, whichever is less.

B. The bottom of any sign located within the vision clearance zone shall be no less than eight feet above the highest elevation of the road surface within the setback.

C. Signs that extend over pedestrian-exclusive access shall be a minimum of ten feet above the highest elevation under the sign. Signs that extend over a vehicle-pedestrian or vehicle-exclusive access area shall be a minimum of sixteen feet above the highest surface elevation under the sign.

D. Billboards shall be a maximum of twenty feet above the ground elevation on which the billboard is located.

E. Signs for businesses in the home shall be a maximum of ten feet above the ground elevation on which the billboard is located. (Ord. 1812 §1(part), 1986).

17.72.080 Illumination. Unless otherwise established by planned development or design review criteria, signs may be illuminated either directly or indirectly. Illumination shall be shielded or directed so that lighting does not shine or glare into traffic patterns within a parking lot, on a road, or onto adjoining property. (Ord. 1812 §1(part), 1986).

17.72.090 Subdivision signs. Signs promoting lands within a subdivision or commercial or industrial complex may be permitted as follows:

A. Entrance Signs, Permanent Signs. Residential, commercial or industrial complexes may erect a permanent entrance identification sign. Such a sign is limited to a maximum of two hundred fifty square feet of total sign area. Multiple signs count cumulatively to the total square footage permitted. For permanent display, an administrative use permit is required pursuant to Section 17.04.110.

B. Directional Signs. Residential subdivisions for which a final tract map has been recorded, or commercial or industrial complexes for which parcel maps have been recorded, may have directional signs indicating the name of the subdivision or project, and its location or distance from the sign. Such signs may be placed upon private property within two road miles of the subdivision or project. Such signs shall comply with the following provisions:

1. Sign areas shall be a maximum facing of eight square feet.

2. A maximum of six sign facings shall be permitted.

3. Subdivision signs are permitted within any zoning district, provided that the record owner of the private property has agreed to such placement. A maximum of one sign structure with a maximum of two facings in different directions shall be permitted on any one parcel.

4. Prior to the erection of any subdivision directional signs, the subdivider or his agent shall notify the planning director in writing with a map showing the location of the subdivision, the location of the direction signs with the direction of the sign facing, and the accessory parcel number(s) on which the sign(s) is(are) located.

5. The maximum term that subdivision signs may be displayed under the provisions of this section is eighteen months. The time period is measured from the date of erection of the first sign. All additional signs are assigned time periods from this first date. Additional units or

phases of the same subdivision county as additional subdivisions for the purposes of determining the eighteen-month deadline. The starting time and date for the additional units shall be based on the date of recordation of the final maps for the additional subdivision units. The maximum of six signs, however, applies to the additional units. It is prohibited to have more than a total of six sign facings, even when there is more than one subdivision unit.

C. Subdivision Promotional Signs. Signs promoting the amenities, price, facilities, features or benefits of subdivisions may be erected on lands within the subdivision or commercial or industrial project without regard to the zoning district, provided that the following provisions are satisfied:

1. Prior to the erection of the subdivision promotional signs, the subdivider or his agent shall notify the planning director of the number, size and location of such signs. Such notifications shall be in writing, and shall include a subdivision or project map showing the parcels in which the signs shall be located.

2. The maximum term of subdivision promotional signs shall be eighteen months from the date the first sign is erected. This time frame may be extended for additional units of the subdivision or project under the provisions of subsection B5 of this section.

3. The maximum size for such signs shall be no greater than thirty-two square feet. The maximum number of promotional signs is one sign for each twenty subdivision lots, with a maximum of five signs. For example, a thirty-eight lot subdivision shall be entitled to one sign; a fifty-six lot subdivision shall be entitled to two signs. The number of signs is based on multiples of twenty. Common area or recreation lots count towards the number of lots. (Ord. 1812 §1(part), 1986).

17.72.100 On-site signs. All on-site signs shall be erected in conformance with this chapter and section:

A. Size. The following specifications shall determine the size or total area of signs:

1. Structure frontage shall be determined by the exterior length of the principle elevation. The property owners shall select the elevation of the structure that is considered the principal elevation, no matter which elevation faces the road or "front" of the structure. In the event of more than one entry, the property owner shall select which entrance is to be considered the principle elevation. The length of additional stories on the principle elevation may be included in the determination of structure frontage.

2. Sign area for single businesses located on a parcel with no other businesses shall not exceed one square foot of sign area for each linear foot of structure frontage

up to a maximum of two hundred square feet. The maximum sign area calculation shall be exclusive of signs required for traffic-control and parking. Double-face signs count cumulatively towards the total sign area permitted by this subsection A3. Address numbers with a height of less than eight inches shall not be considered signs.

3. Sign area for shopping centers, structures with more than one store or business located under one roof or on one parcel of land, or contained within one complex shall not exceed one square foot of sign area for each linear foot of structure frontage.

a. A sign area of up to a maximum of two hundred fifty square feet is permitted outright. The maximum sign area calculation shall be exclusive of signs required for traffic-control and parking.

b. Signs of more than two hundred and fifty square feet are permissive subject to the discretion of the planning director and approval of an administrative use permit pursuant to Section 17.04.110.

c. Double-face signs count cumulatively towards the total sign area permitted by this subdivision. Address numbers with a height of less than eight inches shall not be considered signs.

d. Shopping complexes and shopping centers are permitted to have an entrance sign pursuant to subsection A of Section 17.72.090.

4. On-structure and off-structure signs count cumulatively towards the total sign area permitted by this section.

B. Blocking of Ingress or Egress, and Access. No sign shall be erected in such a manner that will limit, prohibit, or otherwise obstruct the use of any doors, windows, access routes or emergency access routes.

C. Nonconforming, Legally Existing Signs. Every sign lawfully established as of the effective date of the ordinance codified in this chapter shall be deemed a "legally existing nonconforming use," unless otherwise addressed in a community, special or specific plan. No legally existing nonconforming use shall be modified, enlarged, altered, moved, replaced or relocated without being made to conform with this chapter. Changes in copy shall be exempt from this provision.

D. Animated or Blinking Signs. Exterior animated or blinking signs shall be prohibited unless a conditional use permit has been granted by the planning commission. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 1812 §1(part), 1986).

17.72.110 Directional signs. Direction signs, pursuant to the Outdoor Advertising Act, are permitted for businesses which rely primarily on recreation-oriented clientele. Such signs shall be no more than thirty-two square feet in total area, and shall be subject to the provisions of an administrative use permit pursuant to Section 17.04.110. The planning director may impose limitations on the style of graphics, color scheme or other features of the sign to maintain a conformity in concept between the various directional signs in the county. The overall purpose of directional signs is to inform tourist and travel visitors to the county of various recreation features. (Ord. 1812 §1(part), 1986).

17.72.120 Billboards. Subject to the land use limitations of this title, billboards of a maximum area of one hundred twenty-eight square feet may be permitted on private property in the general commercial or general industrial zones upon approval of a conditional use permit pursuant to this title. Billboards shall comply with the provisions of Division 3, Chapter 2 of the California Business and Professions Code, and the following requirements:

A. Billboards shall not be erected in a manner to block the visibility along the highway for pedestrians and vehicles of other vehicular traffic.

B. Billboards may be illuminated, except that blinking or animated lighting shall not be permitted.

C. No billboard shall be erected within three hundred feet of any other billboard facing the same traffic direction. No billboard shall be erected within three hundred feet of an on-site sign for the same business erected in conformance with this chapter.

D. No billboard shall be erected without the issuance of a permit pursuant to the Outdoor Advertising Act from the Department of Transportation. No billboard shall be erected without a conditional use permit from the county.

E. In the event of conflict between state law and the local code, the stricter interpretation shall apply. (Ord. 1812 §1(part), 1986).

17.72.130 Temporary signs. Temporary signs, as defined in Section 17.06.180 of this title, may be permitted as follows:

A. Real Estate Offerings. Signs offering property for sale or lease are permitted as follows, provided that such signs are removed upon close of escrow for sale transactions, or the initial period of full occupancy for lease or rental transactions:

1. Residential parcels of less than five acres: maximum cumulative sign area is four square feet;

2. Residential parcels of five acres or more:
maximum cumulative sign area is thirty-two square feet;
3. Commercial or industrial development: maximum
cumulative sign area is thirty-two square feet;
4. Apartment complexes of fewer than ten units:
maximum cumulative sign area is eight square feet;
5. Apartment complexes of ten or more units:
maximum cumulative sign area is thirty-two square feet;

6. Apartment complexes, commercial or industrial complexes following initial period of full occupancy: signs concerning units for lease or rent: maximum cumulative sign area is thirty-two square feet;

7. Townhouses, Condominiums, Planned Unit Developments, Whether Residential or Commercial. Signs shall conform with Section 17.72.090. Time sharing land uses are considered condominiums for purposes of this section. Following the eighteen month period, signs may be placed in conformance with either subsection A4 or A5 of this section.

B. Promotional Signs, Banners, Sandwich Boards. No matter which material is used in the preparation of the sign, these signs not approved as on-site signs shall be considered to be regulated by this section. All such signs shall be called "promotional signs." Promotional signs include banners, pennants, balloons, miniblimps or other devices meeting the definition in Section 17.06.1800, or flags other than those of the United States or other governmental entities. Signs mounted on vehicles parked along or within the public right-of-way are included as promotional signs. Promotional signs may be displayed for a maximum of fourteen days. With the exception of signs of no more than four square feet specifically advertising products for sale at a specific price, as are typically seen on grocery store windows, other promotional signs shall not be replaced in substantially the same form until at least thirteen calendar weeks have passed from the conclusion of the first display of the promotional sign.

C. Signs for Special Events. Special events, such as theatrical performances, musical events, school or community events, or fund-raising activities for public service organizations are permitted for a period not to exceed the event by more than six weeks. Such signs are to be removed within seventy-two hours of the last day of the event. In such cases where it is necessary to promote the event by more than six weeks prior to its start, an administrative use permit shall be required pursuant to Section 17.04.110. Signs promoting such events that are smaller than eighteen inches by thirty inches are exempt from the provisions of this chapter. Across-the-road banners require the approval of the department of public works for county roads and Caltrans for state highways.

D. Yard, Barn, Garage Sales. Signs promoting such events that do not require an administrative use permit shall be exempt from the provisions of this chapter, provided such signs are erected no sooner than seven days prior to the event, and removed within seventy-two hours of the conclusion of the event. Such signs shall not be posted on traffic-control signs, utility poles or traffic advisory signs. This section applies to real estate "open-house signs."

E. Bulletin Boards. Community bulletin boards, whether sponsored by a private entity or public organization, shall be exempt from the provisions of this chapter.

F. Contractor and Supplier Signs. Such signs shall be limited to a maximum size of four square feet per sign, and shall be removed upon final inspection or occupancy, whichever occurs first.

G. Political Signs. Signs informing of political candidates, parties, issues, measures, propositions, philosophies or personal beliefs, and which are not commercial messages, shall be exempt from all regulations of this chapter, except that such signs shall not be placed within the public right-of-way. Political signs shall conform to the requirements of the Elections Code for placement and removal. (Ord. 1812 §1(part), 1986).

17.72.140 Enforcement, maintenance. A. All signs erected in conformance with this chapter shall be maintained in a safe, attractive, neat and orderly appearance. The sign owner shall perform such maintenance tasks as necessary on a regular basis, including and not limited to repainting, replacement of structural members, repair of sign facing and illumination, and removal of vegetation around the base of the sign or structure. Signs not maintained in conformance with this section shall be deemed a public nuisance and subject to the enforcement provisions of this title.

B. Failure to comply with the provisions of this chapter shall result in such signs being found public nuisances by the planning director. Remedies of such nuisance and violations may be made by the abatement provisions of state law, and/or the enforcement provisions of this title. Penalties may be cumulative, both civil or criminal. The owner of record is ultimately responsible for compliance with the provisions of this chapter. In the event of an abatement action, the record owner shall be responsible for liens, penalties, and/or fines. (Ord. 1812 §1(part), 1986).

Chapter 17.74

ROADS

(RESERVED)

SUBTITLE V. IMPLEMENTATION

ARTICLE 1. PERMIT PROCESSING

Chapters:

<u>17.76</u>	<u>Site Plans and Building Permits</u>
<u>17.78</u>	<u>Combining Area Regulations</u>
<u>17.80</u>	<u>Variances</u>
<u>17.82</u>	<u>Conditional Use Permits</u>
<u>17.84</u>	<u>Design Permits</u>
<u>17.86</u>	<u>Amendments and Zone Changes</u>
<u>17.88</u>	<u>Procedures</u>
<u>17.90</u>	<u>Permit Validation, Revocation</u>

Chapter 17.76SITE PLANS AND BUILDING PERMITS*Sections:

17.76.010	Purpose.
17.76.020	Required.
17.76.030	Single-family residential--Contents.
17.76.040	Multiple-family residential--Contents.
17.76.050	Commercial, industrial, recreationally oriented commercial--Contents.
17.76.060	Multiple-family residential, commercial, industrial, recreationally oriented commercial--Procedures when a conditional use permit or design permit is not required.

17.76.010 Purpose. The purpose of this chapter is to provide consistent requirements for inclusion of information on site plans for building permits which do not require approval of a use permit or design permit. (Ord. 1812 §1(part), 1986).

17.76.020 Required. No building permit application shall be considered complete until the information required in this chapter is included on the site plan. (Ord. 1812 §1(part), 1986).

* Prior ordinance history: Chapter 17.76 was renumbered by Ord. 1810. Provisions of Chapter 17.76 were formerly codified at Chapter 17.66 deriving from Ords. 945, 1624 and 1810.

17.76.030 Single-family residential--Contents. Site plans for single-family residential building permit applications shall be legibly drawn and contain all of the information required by the building official. (Ord. 1812 §1 (part), 1986).

17.76.040 Multiple-family residential--Contents. Site plans for multiple-family residential building permit applications shall include the information required by the building official and planning director:

A. All plans shall be legibly drawn to an adequate scale to incorporate details of site development.

B. A landscaping plan, signed by the proponent or property owner, shall be included.

C. A detailed parking plan shall be included. (Ord. 1812 §1(part), 1986).

17.76.050 Commercial, industrial, recreationally oriented commercial--Contents. Site plans for commercial, industrial, and recreationally oriented commercial building permit applications shall include the information required by the building official and planning director:

A. All plans shall be legibly drawn to an adequate scale to incorporate details of site development.

B. A landscaping plan, signed by the proponent or property owner shall be included.

C. A detailed parking plan shall be included. (Ord. 1812 §1(part), 1986).

17.76.060 Multiple-family residential, commercial, industrial, recreationally oriented commercial--Procedures when a conditional use permit or design permit is not required. A. Site Plan Submittal. The site plan, along with copies of all building plans, are to be submitted to the planning department.

B. The planning department will circulate the site plan to responsible agencies for encroachment permits. The department will review the site plan for compliance with the parking requirements of this title.

C. When the responsible agencies have commented, the planning department will forward the application to the building department.

D. The building department will require that the proponent obtain clearance signatures from responsible fire protection, water supplier, sewage disposal and school district (if applicable) representatives prior to commencing review of the building plans.

E. The planning department is permitted fifteen calendar days to conduct its review. (Ord. 1812 §1(part), 1986).

Chapter 17.78COMBINING AREA REGULATIONSSections:

- 17.78.010 Changes in zoning restrictions--Permitted.
 17.78.020 Changes in zoning density--Notations.

17.78.010 Changes in zoning restrictions--Permitted.

A. In any zoning district, the minimum parcel size may be reduced, if a finding is made that the reduced parcel size is the result of a logical parcel design, and that adherence to the minimum parcel size would result in creation of a parcel that would include portions separated from the main part of the parcel by roads or natural boundaries. This may be permitted, provided that the density assigned by the general plan is not exceeded.

B. In any district, density transfer may be utilized to allow the creation of parcels with a gross land area less than the minimum parcel size, provided that the overall density of the original parcel prior to subdivision is maintained, and provided that there are provisions made as part of the project approval so that none of the parcels may be further subdivided. This shall be accomplished by inclusion of all parcels that are part of the project within the X, existing lot size, combining district, and placing a note on the final or parcel map indicating no further subdivision is permitted.

C. In any zoning district for which a subdivision is approved that includes the use of common area, the common area shall be placed in the X-EP combining districts. A note shall be placed on the final or parcel map indicating that the common area shall be prohibited from further subdivision.

D. The X, existing lot size, combining district shall be used in all situations in which the parcel being created shall not be further subdivided. The only finding which shall be permitted for changing lands from within the X combining district is that the general plan in effect at the time the parcels were created has been revised or amended so that the previous minimum parcel size no longer applies to the subject property.

E. Other changes in zoning requirements may be included in an amendment to the zoning ordinance for specific property if such changes are noted on the zoning map for the subject property. (Ord. 1810 §2(part), 1986; Ord. 1624 §3 (part), 1983; Ord. 945 §42.01(part), 1978).

17.78.020 Changes in zoning density--Notations. The following notations shall be used to designate density or parcel size:

A. A number of nine hundred ninety-nine or less shall be hyphenated from the zoning district to indicate the number of acres per dwelling unit. Example: Rural residential, five-acre minimum parcel size = RR-5;

B. A number of one thousand or greater shall be hyphenated from the zoning district to indicate the number of square feet per dwelling unit. Example: Single-family residential, seven thousand two hundred square feet per dwelling unit = R1-7200;

C. A number separated from the zoning district in parentheses shall indicate the number of dwelling units per acre. Example: Multiple-family residential, twelve units per acre = R3(12). (Ord. 1810 §2(part), 1986; Ord. 1624 §3(part), 1983; Ord. 945 §42.01(part), 1978).

Chapter 17.80

VARIANCES*

Sections:

- 17.80.010 Purpose.
- 17.80.020 Authority.
- 17.80.030 Procedure.
- 17.80.040 Review authority.
- 17.80.050 Findings.

17.80.010 Purpose. The purpose of this chapter is to provide procedures and findings for variances from the standards of this title. Variances are intended to provide relief from strict enforcement of the standards of this title when unique, special and unusual circumstances are applicable to the subject property, and when the variance is necessary to alleviate a hardship which would prevent execution of a property right. (Ord. 1812 §1(part), 1986).

17.80.020 Authority. A. The authorization to consider variances from the standards of this title are incorporated in Title 7, Division 2 of the California Government Code in Sections 65906 and 65909.

B. The planning commission or planning director may impose conditions on the approval of a variance which are necessary to protect and achieve the purposes of this title.

* Prior ordinance history: Chapter 17.80 was renumbered by Ord. 1810. Provisions of Chapter 17.80 were formerly codified at Chapter 17.70 deriving from Ords. 945, 1115, 1808 and 1810.

C. Pursuant to state law, only the following may be subject to the variance process:

1. Lot size, provided that general plan density in conformance with Section 17.78.030 is not exceeded;
2. Structure height;
3. Lot dimensions of width and depth;
4. Structure setbacks, distance between buildings, vision clearance;
5. Parking spaces, parking area dimensions, number and size of parking spaces, paving requirements, driveway width;
6. Zoning ordinance road standards;
7. On-site signs for businesses.

D. The following shall not be permitted to seek variances from the standards of this title:

1. Density, when not in conformance with Section 17.78.030;
2. Permitted or conditional uses;
3. Size of billboards. (Ord. 2405 Exh. A(part), 1994; Ord. 1903 §8, 1987; Ord. 1812 §1(part), 1986).

17.80.030 Procedure. A. Applications for variances from the standards of this title shall be submitted to the planning department.

B. The planning director may authorize the preparation of necessary forms and documents to provide the required information in order to review the variance request.

C. The planning director shall review those variance applications within his authority, and render a decision approving, conditionally approving, or denying the request within twenty-one calendar days of the receipt of the completed application.

D. Applications which require the approval of the planning commission shall be scheduled before the commission based on the regular scheduling process. Variances for projects in which the construction has already commenced (these are called "as-built variances") may be scheduled for the next commission meeting for which a legal notice has not been published if the variance is for a development standard as defined in Section 17.80.040 which would normally be considered by the planning director. All other commission variances require regular scheduling and notice procedures.

E. The decision of the planning director or planning commission shall be in writing.

F. Appeals of the decision may be filed pursuant to the requirements of this title. (Ord. 1812 §1(part), 1986).

17.80.040 Review authority. A. The planning director may review and render decisions on only the following matters:

1. Building setbacks;
2. Parking space requirements with reductions of up to twenty-five percent pursuant to the standards of Chapter 17.70;
3. Building height;
4. Driveway width, parking area dimensions;
5. Paving requirements subject to review in the event of a change of use.

B. The planning commission shall be required to review and render decisions on all other variances.

C. An "as-built" variance, or a variance requested for a structure or standard of this title which is requested after the partial construction, completed construction, commencement of use or occupancy, or any other variance requested to alleviate an existing condition, shall be required to be reviewed by the planning commission.

D. Variance review is a categorical exemption pursuant to the county's CEQA Guidelines. (Ord. 2276 §3, 1992; Ord. 1812 §1(part), 1986).

17.80.050 Findings. No variance shall be approved or conditionally approved unless all of the following findings are substantiated, in addition to any findings which may be required under the provisions of other standards in this title related to the standard for which a variance is sought:

A. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity and result from lot size or shape, topography, or other circumstances over which the owners of property have no control;

B. The variance is necessary for the preservation of a property right of the proponent substantially the same as owners of other property in the same zone or vicinity possess;

C. The variance would not be materially detrimental to the purpose of this title, or to property in the same zone or vicinity in which the property is located, or otherwise conflict with the objectives of any county plan, ordinance or policy;

D. The variance requested is the minimum variance which would alleviate the hardship. (Ord. 1812 §1(part), 1986).

Chapter 17.81WAIVERSSections:

- 17.81.010 Purpose.
- 17.81.020 Applicability.
- 17.81.030 Procedure.
- 17.81.040 Findings.

17.81.010 Purpose. The purpose of this chapter is to provide procedures and required findings for granting exceptions from certain performance standards of this title. Waivers are intended to provide relief from strict enforcement of certain performance standards when unique, special and unusual circumstances are applicable to the subject property or situation, and when the waiver is necessary to alleviate an undue hardship. (Ord. 2405 Exh. A(part), 1994).

17.81.020 Applicability. Waivers are limited to the standards set forth in subsection (A) of this section.

A. The following may be subject to the waiver process:

1. Temporary use of structures for temporary residency;
2. Manufactured home standards, as defined in Section 17.55.022 of this title.

B. Standards subject to the variance process set forth in Chapter 17.80 of this title shall not be subject to the waiver process. (Ord. 2405 Exh. A(part), 1994)

17.81.030 Procedure. A. Applications for waivers from the standards of this title shall be submitted to the planning department. Each application shall be accompanied by the fee applicable to an appeal of a staff decision. The application shall be in the form of a written request containing the following information:

1. The name, mailing address and daytime phone number of the applicant;
2. The specific waiver requested;
3. The special circumstances which justify the waiver request.

B. The planning department shall schedule the matter for a public hearing before the board of supervisors within thirty days of receipt of a complete application and required fee, and shall provide notice to all property owners within three hundred feet of the subject parcel.

C. The board of supervisors shall review waiver applications and render a decision approving, conditionally

approving or denying the request. (Ord. 2405 Exh. A(part), 1994).

17.81.040 Findings. The board of supervisors may approve a waiver based upon the existence of an economic or other hardship justifying relief from specific standards. Relief shall be granted only to the extent necessary to alleviate the hardship. (Ord. 2405 Exh. A(part), 1994).

Chapter 17.82CONDITIONAL USE PERMITS*Sections:

- 17.82.010 Purpose.
- 17.82.020 Findings.
- 17.82.030 Conditions.
- 17.82.040 Conformance to county regulations and plans.
- 17.82.050 Conformance to this title.

17.82.010 Purpose. The purpose of a conditional use permit is to provide the general public with an opportunity to review a proposed land use that is generally consistent with the purpose of a base zoning district, but has the potential to cause conflicts with neighboring land use and zoning. The conditional use permit is a discretionary permit and shall be reviewed consistent with this chapter. This chapter shall also apply to mineral excavation permits and reclamation plan. (Ord. 1808 §1(part), 1986).

17.82.020 Findings. In order to approve a conditional use permit, the planning commission, or on appeal the board of supervisors, shall make the following findings:

A. The proposed use is consistent with the county's general plan, any applicable community or special plan, and the provisions of this title;

B. The subject property is adequate in land area to accommodate the proposed project, its required parking area, access, landscaping, and site improvements;

C. The proposed land use is compatible with neighboring land use and zoning;

D. The public and private roads providing access to the subject property meet necessary standards to provide safe and adequate access, or have been amended by conditions of project approval to satisfy the access requirements;

E. Conditions of project approval are necessary for protection of the public health, safety and welfare, and to reduce or eliminate potential environmental effects. (Ord. 1808 §1(part), 1986).

17.82.030 Conditions. Conditions of project approval are limited to those measures or requirements that are necessary to reduce or eliminate potential environmental

* Prior ordinance history: Chapter 17.82 was renumbered by Ord. 1810. Provisions of Chapter 17.82 were formerly codified at Ch. 17.68 deriving from Ord. 945.

effects or protect the public health, safety and welfare. No conditions shall be imposed for which there is not a reasonable relationship between the condition and the direct effects of the project. Conditions of project approval may include and are not limited to the following:

- A. Setbacks, buffers;
- B. Fences and walls;
- C. Improvement of parking areas in conformance with Chapter 17.70, including stacking distance, turn lanes, acceleration lanes, and other requirements pursuant to the road ordinance;
- D. On-site dedications of easements, rights-of-way;
- E. Designation of ingress and egress locations;
- F. Landscaping design, including types of vegetation, size, maturity, or retention of existing vegetation, including landscaping in excess of base zone requirements when it is found that the proposed project warrants additional screening;
- G. Maintenance of buildings and grounds;
- H. On-site and off-site road improvements and access improvements;
- I. Limitations on the hours of operations;
- J. Duration of the use permit;
- K. Limitations or levels of noise, dust, odor, vibration or similar environmental effects;
- L. Design and size of signs, in conformance with Chapter 17.72;
- M. Requirements of other public agencies or departments;
- N. Such other conditions as will make possible the development of the county in an orderly and efficient manner;
- O. Other such conditions as may be agreed upon by the project proponent at a public hearing on the project. (Ord. 1808 §1(part), 1986).

17.82.040 Conformance to county regulations and plans. All conditional use permits issued by the planning commission or board of supervisors are subject to all applicable county regulations or plans whether or not such requirements are specified as a condition of project. (Ord. 1808 §1(part), 1986).

17.82.050 Conformance to this title. All conditional use permits shall be in conformance with the performance standards and the site development standards of this title, except when a condition of the permit provides for other standards. (Ord. 1808 §1(part), 1986).

Chapter 17.84DESIGN PERMITSSections:

- 17.84.010 Purpose.
- 17.84.020 Design review permits.
- 17.84.030 Planned development permits.
- 17.84.040 Findings.
- 17.84.050 Conditions.
- 17.84.060 Conformance to county regulations and plans.
- 17.84.070 Conformance to this title.

17.84.010 Purpose. Design permits are intended to provide an opportunity for public review of a proposed project that is located in an area of significant scenic value or historic value. A design permit is limited to review of the design, including site layout, parking, access, architectural styling, landscaping, and other design issues not enumerated here. Design permits shall not consider the proposed use, except as related to parking requirements. (Ord. 1808 §1(part), 1986).

17.84.020 Design review permits. Design review permits are issued by a designated design review committee pursuant to duly adopted criteria for the district. Design review permits are issued for projects within a design review district pursuant to Chapter 17.52. (Ord. 1808 §1(part), 1986).

17.84.030 Planned development permits. Planned development permits are design permits issued by the planning commission for projects on lands within the PD combining district and subject to the provisions and criteria of Chapter 17.50. (Ord. 1808 §1(part), 1986).

17.84.040 Findings. Design permits shall be approved by the issuing body with findings based on the following:

A. The following findings are required for all design permits:

1. The project is consistent with the general plan, community or special plan, and the provisions of this title,
2. The subject property is adequate in land area to accommodate the proposed project, its required parking, access, landscaping, and on-site improvements,
3. The conditions of project approval are necessary to protect the public health, safety and welfare;
4. The proposed design features are compatible with neighboring design features and styling;

B. Planned development require the following additional findings:

1. Any findings required in Chapter 17.50,
2. The project is consistent with the design criteria in Chapter 17.50;

C. Design review permits require the following additional findings:

1. Any findings required in Chapter 17.52,
2. The project is consistent with the duly adopted design review criteria of the applicable design review district. (Ord. 1808 §1(part), 1986).

17.84.050 Conditions. Conditions of project approval are limited to those measures or requirements that are necessary to reduce or eliminate potential environmental effects or protect the public health, safety and welfare. No conditions shall be imposed for which there is not a reasonable relationship between the condition and the direct effects of the project. Conditions of project approval may include and are not limited to the following:

- A. Setbacks, buffers;
- B. Fences and walls;
- C. Improvement of parking areas in conformance with Chapter 17.70, including stacking distance, turn lanes, acceleration lanes, and other requirements pursuant to the road ordinance; the committee shall include such items in conformance with the zoning ordinance in its resolution of approval without discussion;
- D. On-site dedications of easements, rights-of-way;
- E. Designation of ingress and egress locations;
- F. Landscaping design, including types of vegetation, size, maturity, or retention of existing vegetation, including landscaping in excess of base zone requirements when it is found that the proposed project warrants additional screening;
- G. Maintenance of buildings and grounds;
- H. On-site and off-site road improvements and access improvements;
- I. Limitations on the hours of operations;
- J. Duration of the use permit;
- K. Limitations or levels of noise, dust, odor, vibration, or similar environmental effects;
- L. Design and size of signs in conformance with Chapter 17.72;
- M. Requirements of other public agencies or departments;
- N. Such other conditions as will make possible the development of the county in an orderly and efficient manner;
- O. Other such conditions as may be agreed upon by the project proponent at a public hearing on the project;
- P. Any other conditions specified in Chapters 17.50 or 17.52, and the applicable design review criteria. (Ord. 1808 §1(part), 1986).

17.84.060 Conformance to county regulations and plans.

All design permits issued by the planning commission or board of supervisors are subject to all applicable county regulations or plans whether or not such requirements are specified as a condition of project. (Ord. 1808 §1(part), 1986).

17.84.070 Conformance to this title.

All design permits shall be in conformance with the performance standards and the site development standards of this title, except when a condition of the permit provides for other standards. (Ord. 1808 §1(part), 1986).

Chapter 17.86AMENDMENTS AND ZONE CHANGES*Sections:

- 17.86.010 Authority.
- 17.86.020 Initiation, petition.
- 17.86.030 Planning commission recommendation.
- 17.86.040 Board of supervisors, action by ordinance.
- 17.86.050 Filing.
- 17.86.060 Official zoning maps.

17.86.010 Authority. Amendments and zone changes are authorized by Title 7, Division 1 of the California Government Code, commencing with Section 65835. (Ord. 1808 §1(part), 1986).

17.86.020 Initiation, petition. Amendments to the zoning ordinance, this title, or requests for inclusion of specific parcels of land within a precise district, may be initiated by one of the following:

A. Petition of Property Owners. Any property owner may request a change of zoning district of a parcel for which he is the record owner by submitting an application form, environmental assessment, map, and proof of ownership, along with applicable fees, to the planning department;

B. By majority vote, the planning commission or board of supervisors may initiate changes in the requirements of this title or changes in zoning districts for specific parcels of land. (Ord. 1808 §1(part), 1986).

* Prior ordinance history: Chapter 17.68 was renumbered by Ord. 1810. Provisions of Chapter 17.86 were formerly codified at Chapter 17.72 deriving from Ord. 945.

17.86.030 Planning commission recommendation. At a public hearing, the planning commission shall consider a staff report, public testimony, comments from agencies, and make a recommendation to the board of supervisors. Such a decision shall be by a majority vote and submitted to the board by resolution along with appropriate findings. A denial by the planning commission shall terminate further proceedings unless appealed by the proponent or an aggrieved party. (Ord. 1808 §1(part), 1986).

17.86.040 Board of supervisors, action by ordinance. Following a public hearing, the board of supervisors shall consider the recommendation of its planning commission, public testimony, its staff report, comments by agencies, and shall take action to adopt an ordinance approving the change or amendment, or shall by majority vote deny such request or petition. (Ord. 1808 §1(part), 1986).

17.86.050 Filing. Following approval of any ordinance related to the inclusion of a specific parcel of land within a precise zoning district, the clerk of the board of supervisors shall send a copy of the ordinance to the county assessor. (Ord. 1808 §1(part), 1986).

17.86.060 Official zoning maps. The planning director shall maintain reference maps of all assessor parcels within the unincorporated portions of the county, and shall upon the maps indicate the zoning districts in which each parcel is included. The official zoning maps may include other notes, information, or reference data for the use of the planning staff. (Ord. 1808 §1(part), 1986).

Chapter 17.88

PROCEDURES

Sections:

- 17.88.010 Purpose.
- 17.88.020 Application.
- 17.88.030 Staff review.
- 17.88.040 Hearing date, continued items, notice requirements.
- 17.88.050 Consideration, decision.
- 17.88.060 Appeals.
- 17.88.070 Fees for hazardous waste facilities.

17.88.010 Purpose. The purpose of this chapter is to ensure that procedures for review of design and use permits

are consistent with the requirements for zone changes and amendments. While this chapter is the basic guideline for procedures, the planning director may incorporate administrative procedures as needed to ensure efficient project reviews. (Ord. 1808 §1(part), 1986).

17.88.020 Application. A. All applications shall be submitted with the requisite fees, proof of ownership, maps, plans, drawings and environmental assessments as determined to be necessary by the planning director. No application shall be considered complete until all required materials have been submitted.

B. Determination of application completeness shall be made within thirty days of the date of application submittal. The application submittal date is the date that payment is accepted by the planning department. If an application is not complete, the planning director shall serve written notice upon the applicant by placing the notice in the United States mail with first class postage prepaid prior to the expiration of thirty days from the date of submittal.

C. Failure to send such a notice or meet the thirty-day time line shall cause the application materials to be deemed complete for purposes of this chapter.

D. An application found to be complete in terms of information needed for review of the proposed project, may still be subject to requests for additional information related to environmental issues, pursuant to 14 CAC Section 15000 et seq., the State CEQA Guidelines. (Ord. 1808 §1 (part), 1986).

17.88.030 Staff review. A. The planning director shall cause to take place an inspection of the subject property to determine its suitability for the proposal.

B. The planning director shall select and determine which public agencies, county departments, and other interested parties shall be included on the list for early consultation and project review.

C. The planning director shall ensure that submitted materials are reviewed by the environmental coordinator to make a recommendation on the project's environmental effects. (Ord. 1808 §1(part), 1986).

17.88.040 Hearing date, continued items, notice requirements. A. Hearing Date. Hearing dates are assigned by the planning director for the appropriate meeting based on required project review periods.

1. Hearing Date Established When No State Permits Are Required. The hearing date shall be tentatively assigned upon acceptance of the application;

2. Hearing Date Not Assigned When State Permits Are Required. If a state permit is required, or the project environmental review is required to be submitted to the State Clearinghouse, the project will not be scheduled for a planning commission hearing until the environmental review procedures are completed;

3. Hearing Date When An Environmental Impact Report Is Required. Projects requiring an environmental impact report will have a public hearing scheduled during the public review period of the draft environmental impact report.

If an environmental impact report was not anticipated at the time of application acceptance, then the project shall automatically be continued until such time as the draft environmental impact report is completed and a public review period established pursuant to the county CEQA Guidelines.

B. Continued Items. A project may be continued at the request of the proponent, or at the request of the planning director with the concurrence of the proponent. The planning commission or board of supervisors may continue an item without proponent consent.

C. Notice Requirements. In relation to all projects reviewed by the design review committees, planning commission or board of supervisors under the provisions of this title, the following notice requirements shall apply:

1. Published Notice. Not less than ten days prior to the scheduled hearing, a notice shall be published in a newspaper of general circulation in the county indicating the projects scheduled for review before the commission;

2. Mailed Notice. Not less than ten days prior to the scheduled hearing date a notice of the proposed project hearing shall be placed in the United States mails with first class postage prepaid addressed to the record owners of assessor parcels located within three hundred feet of the perimeter boundaries of the assessor parcel on which the project is proposed. Placement of the notice in the mails is deemed to be notice given.

D. Supervisors Referral. If the board of supervisors is considering approval of a zone change not previously considered by the planning commission, it shall refer the proposal to the commission prior to taking final action on the matter. The commission shall review the proposal and indicate its concurrence, its alternate recommendations, a statement of no comment, or recommendation of denial to the supervisors within forty days of the referral. (Ord. 1808 §1(part), 1986).

17.88.050 Consideration, decision. The final authorizing decision for projects shall rest with the following bodies:

A. Zone changes and amendments: Board of supervisors;

B. Use permits, planned development permits, mining permits and reclamation plans and discretionary variances: Planning commission;

C. Design review permits: The applicable design review committee, as appointed by the board of supervisors. Discretionary variances associated with the design review issues may be approved by the design review committee in lieu of the planning commission;

D. Variances, as specified in Chapter 17.80: Planning Director. (Ord. 1808 §1(part), 1986).

17.88.060 Appeals. The applicant, any aggrieved party, or individual member of the board of supervisors may file an appeal concerning any decision of the planning commission or staff. Appeals shall be filed in conformance with Chapter 17.98. No changes will be allowed to a project which are not in compliance with the approved conditions of approval after the appeal period has passed. Changes to a project not reviewed through the previous approval period shall be considered a new project subject to a new application review. (Ord. 2614 §3 Exh. A(part), 2000; Ord. 1808 §1(part), 1986).

17.88.070 Fees for hazardous waste facilities. At the time of filing a conditional use permit application for a hazardous waste facility, or an application to amend such a conditional use permit, the applicant shall pay to the planning department an initial fee of fifty thousand dollars to defray the expenses in processing the application, and at no time shall that amount go below fifteen thousand dollars until after the conclusion of all public hearings. The planning director shall keep accurate records of the actual costs associated with processing the application. Upon completion of staff investigations, report and recommendations, the planning director shall bill the applicant for the actual costs of the work in excess of fifty thousand dollars and the applicant shall pay the cost thereof to the planning department prior to public hearing. Additional fees shall be paid by the applicant to defray the expenses of hearings before the planning commission and board of supervisors and preparing the final documents necessary to complete the process. The planning department shall create an account in the county auditor's office for receipt of these funds, shall maintain records of all expenditures from the account, and shall return any unused funds and accrued interest to the applicant upon completion of the project review. The planning director shall not issue the conditional use permit until the full fee for the conditional use permit is paid. (Ord. 2126 §3, 1990).

Chapter 17.90

PERMIT VALIDATION, REVOCATION*

Sections:

- 17.90.010 Permit validation.
- 17.90.020 Extension of time.
- 17.90.030 Termination of use.
- 17.90.040 Infrequent use.
- 17.90.050 Revocation.

17.90.010 Permit validation. A. To be valid, a permit issued under the provisions of this title shall be activated prior to 11:59 p.m. on December 31st of the calendar year following the year in which the permit is issued. For example, a permit approved on July 5, 1986, must be activated by 11:59 p.m. on December 31, 1987.

1. To activate permit:

a. For permits requiring a building permit, the building permit shall be obtained and construction commenced by the expiration date,

b. For permits not requiring a building permit, the use or activity shall have commenced with either the majority of inventory or stock being available for sale or purchase, or such activities which in the findings of the planning director indicate such use or activity has been activated;

2. For reclamation plans: there is no permit activation date as annual reports on past and proposed activities are required.

B. In the event litigation is filed against the county for issuance of the permit, the activation date shall be extended until December 31st of the calendar year following the year in which the final decision, including all appeals, has been issued by the court. (Ord. 1808 §1(part), 1986).

17.90.020 Extension of time. A. Upon application to the planning commission, a permit holder may seek an extension of the activation date.

* Prior ordinance history: Chapter 17.90 was renumbered by Ord. 1810. Provisions of Chapter 17.90 were formerly codified at Chapter 17.74 deriving from Ord. 945.

1. A maximum of two extensions of time may be requested;
 2. The total length of all extensions of time, excluding subdivisions, shall not exceed twenty-four months.
- B. The planning commission shall not approve an extension of time unless it makes all of the following findings:
1. The extension of time is necessary to secure needed approvals from other agencies; and
 2. The extension of time is necessary in order to comply with conditions of project approval; and
 3. The permit holder has demonstrated a good-faith effort to initiate the use for which the permit has been issued. (Ord. 1808 §1(part), 1986).

17.90.030 Termination of use. A permit for which the use has been terminated for a period of twelve months or longer shall not be valid until its reissuance has been approved by the planning commission pursuant to Chapters 17.82 and 17.88. (Ord. 1808 §1(part), 1986).

17.90.040 Infrequent use. Uses such as mining operations, timber and farm operations which have a history of infrequent use may be continued, although if such use is discontinued for a period of three years, any further use will require approval in compliance with Chapters 17.82 and 17.88. (Ord. 1808 §1(part), 1986).

17.90.050 Revocation. The planning commission or board of supervisors may by majority vote void or revoke any permit issued pursuant to this title for failure to comply with the conditions of project approval or this title.

A. Such matter shall be scheduled for hearing by the commission and notice requirements of Section on 17.88.040 shall be satisfied with the addition of a notice being sent to the property owner and permit holder.

B. At least five county business days prior to the commission hearing, the planning director shall deliver by personal service or place in the United States mail with first class postage prepaid, a written report indicating the findings of the director related to the recommendation for revocation. Said report shall be delivered to the planning commission, the permit holder, and the owner of record.

C. The revocation proceedings shall be held at a public hearing, and the commission shall issue a decision to revoke the permit, uphold the permit, or if the permit holder concurs, the commission may modify such conditions as necessary to ensure compliance.

D. If the permit is revoked, no application for substantially the same permit shall be submitted within twelve months of the date of revocation. (Ord. 1808 §1(part), 1986).

SUBTITLE V. IMPLEMENTATION

ARTICLE 2. ADMINISTRATION

Chapters:

<u>17.92</u>	<u>Nonconforming Uses and Zoning</u>
<u>17.94</u>	<u>Filing Fees</u>
<u>17.96</u>	<u>Maps</u>
<u>17.98</u>	<u>Appeals</u>
<u>17.100</u>	<u>Enforcement</u>

Chapter 17.92

NONCONFORMING USES AND ZONING*

Sections:

- 17.92.010 Land use existing prior to the effective date of this title.
- 17.92.020 Enlargement of nonconforming use or building.
- 17.92.030 Nonconforming lots of record.
- 17.92.040 Nonconforming infrequent use.

17.92.010 Land use existing prior to the effective date of this title. The lawful use of land existing on the effective date of the ordinance codified in this title or amendments thereto, although such use does not conform to the provisions of this title, may be continued. If such use is discontinued for a period of one year, any future use of said property or structures thereon will require approval in accordance with Section 17.92.020. (Ord. 1812 §1(part), 1986).

17.92.020 Enlargement of nonconforming use or building. Any existing building designed, arranged, or intended for or devoted to a use not permitted in the district

* Prior ordinance history: Chapter 17.92 was renumbered by Ord. 1810. Provisions of Chapter 17.92 were formerly codified at Chapter 17.60 deriving from Ords. 945 and 1810.

in which such structure is located shall not be enlarged, extended, reconstructed, structurally altered or reoccupied unless a permit for such work or reoccupation is approved by the planning commission. (Ord. 1812 §1(part), 1986).

17.92.030 Nonconforming lots of record. Whenever a lot or parcel legally established and recorded in the office of the county recorded and with less area than the minimum lot size for new lots and parcels exist, said lots or parcels are permitted the same uses, conditional uses and temporary uses as lots greater than the minimum; provided other site development standards are satisfied. (Ord. 1812 §1-(part), 1986).

17.92.040 Nonconforming infrequent use. Uses, such as mining operations and farm operations, which have a history of infrequent use, although such use does not conform to the provisions of this title, may be continued, although if such use is discontinued for a period of three years, any further use of said property will require approval in accordance with Section 17.92.020. (Ord. 1812 §1(part), 1986).

Chapter 17.94

FILING FEES*

Sections:

- 17.94.010 Purpose.
- 17.94.020 Established by resolution.
- 17.94.030 Method.

17.94.010 Purpose. The purpose of this chapter is to establish the projects for which fees are required and the method by which fees are established. (Ord. 1812 §1(part), 1986).

17.94.020 Established by resolution. The board of supervisors, acting on a recommendation of its staff, shall establish fees based, in part, on the administrative costs of processing applications. Changes in fees are approved by ordinance adopted by majority vote. In no case shall the application fee exceed the cost of processing the application. Applications for projects requiring fees are:

- A. Zoning amendments;
- B. Variances reviewed by the planning director;

* Prior ordinance history: Chapter 17.94 was renumbered by Ord. 1810. Provisions of Chapter 17.94 were formerly codified at Chapter 17.76 deriving from Ords. 945 and 1810.

- C. Variances reviewed by the planning commission;
- D. Conditional use permits;
- E. Design review and planned development permits;
- F. Appeals to the board of supervisors from actions of the planning commission;
- G. Appeals to the planning commission from actions of design review committees. (Ord. 1812 §1(part), 1986).

17.94.030 Method. When requested by the board, or initiated by the planning director, the typical costs of processing and application shall be compared against the fees collected to determine the new fee, if any. (Ord. 1812 §1(part), 1986).

Chapter 17.96

MAPS*

Sections:

17.96.010 Official zoning maps.

17.96.010 Official zoning maps. The planning director shall cause to be maintained official zoning maps of all parcels in the unincorporated portions of the county for public review and information. Copies of zoning maps may be made available to the public upon request for the payment of the cost of preparing or making copies of said maps covering the cost of photocopying and the time to prepare the copies. (Ord. 1812 §1(part), 1986).

* Prior ordinance history: Chapter 17.96 was renumbered by Ord. 1810. Provisions of Chapter 17.96 were formerly codified at Chapter 17.78 deriving from Ords. 945 and 1810.

Chapter 17.98

APPEALS*

Sections:

- 17.98.010 Purpose.
- 17.98.020 Appeals of staff decisions.
- 17.98.030 Appeals of development review committees.
- 17.98.040 Appeals of planning commission.
- 17.98.050 Appeals of board of supervisors.
- 17.98.060 Project reconsideration.
- 17.98.070 Procedures.

17.98.010 Purpose. The purpose of this chapter is to establish the procedures for appeals of decisions by county staff, appointed bodies and elected officials. (Ord. 2289 §3(part), 1992: Ord. 1812 §1(part), 1986).

17.98.020 Appeals of staff decisions. A decision of any planning staff member may be appealed to the planning commission by following the appeal procedures in Section 17.98.070, and submitting a written request, accompanied by the appropriate fee, within fifteen calendar days from the date of the staff decision. (Ord. 2289 §3(part), 1992: Ord. 1812 §1(part), 1986).

17.98.030 Appeals of development review committees. A decision of any development review committee, except when the planning commission sits as the development review committee, may be appealed to the planning commission by following the appeal procedures in Section 17.98.070, and submitting a written request, accompanied by the appropriate fee, within fifteen calendar days from the date of the committee decision. (Ord. 2289 §3(part), 1992: Ord. 1812 §1(part), 1986).

17.98.040 Appeals of planning commission. A decision of the planning commission, including when the commission sits as the review committee, may be appealed to the board of supervisors by following the appeal procedures in Section 17.98.070, and by submitting a written request, accompanied by the appropriate fee, within fifteen calendar days from the date of the commission decision. (Ord. 2289 §3(part), 1992: Ord. 1812 §1(part), 1986).

* Prior ordinance history: Chapter 17.98 was renumbered by Ord. 1810. Provisions of Chapter 17.98 were formerly codified at Chapter 17.80 deriving from Ords. 945, 1624 and 1810.

17.98.050 Appeals of board of supervisors. A decision of the board of supervisors is final. An appeal may be undertaken by filing appropriate litigation in a court of competent jurisdiction within the statutory period established by law from the date of the board's decision. (Ord. 2289 §3(part), 1992: Ord. 1812 §1(part), 1986).

17.98.060 Project reconsideration. A. Any portion of a project decision, or the entire decision itself, may be the subject of an appeal filed within the appeal period as specified in this chapter. The appeal hearing shall be limited to the scope of issues addressed in the application of appeal.

B. No reconsideration of any portion of a project may be appealed after the appeal period has expired. A project reconsideration filed after the appeal period has expired shall be processed by the planning department, and a public hearing shall be conducted by the planning commission. The request shall be filed with the planning department and shall include appropriate fees, maps and justification for reconsideration.

C. If the resubmitted project is denied, the original decision shall stand. If the resubmitted project is approved or conditionally approved, the original permit shall be null and void as a result of the subsequent action. (Ord. 2289 §3(part), 1992: Ord. 1812 §1(part), 1986).

17.98.070 Procedures. A. Standing for Filing an Appeal. Any project proponent or aggrieved party may file an appeal as specified in this chapter, provided that the appellant has participated in the administrative process prior to filing an appeal.

B. No issue which was not addressed during the hearing upon which the appeal is based shall be part of the appeal hearing. All relevant and known facts must be presented to planning department staff and the planning commission. In the event that new information is presented on appeal, the board of supervisors shall have discretion to remand the project to the planning commission for consideration of new facts or issues.

C. To file an appeal, the appellant shall submit an application of appeal as follows, along with the appropriate fee:

1. Decisions of staff or development review committees: The application of appeal is submitted to the chairman of the planning commission;

2. Decisions of the planning commission: The application of appeal is submitted to the clerk of the board of supervisors.

D. Upon determination that the application of appeal is complete, with the exception of appeals to a court of competent jurisdiction, the secretary or clerk to the ap-

pellate body shall schedule an appeal hearing within forty-five days of the date of acceptance of the appeal application.

E. Prior to ten days before the appeal hearing, the clerk of the appeals body shall publish a notice in a newspaper of general circulation in the county, and shall place into the United States mail, with first class postage prepaid, a notice to all property owners to whom notices were sent for the original hearing. The notice shall indicate the name of the appellant, the project file number and project title, the issues being appealed, the date, time and location of the hearing, and before which body the appeal is to be held. Information as to the availability and location of project files is to be included. (Ord. 2289 §3(part), 1992: Ord. 1812 §1(part), 1986).

Chapter 17.100

ENFORCEMENT

Sections:

- 17.100.010 Chief building inspector duties.
- 17.100.020 Health officer duties.
- 17.100.030 Planning department duties.
- 17.100.040 Law enforcement agencies duties.
- 17.100.050 Revocation of permit.
- 17.100.060 Abatement of buildings, structures and uses.
- 17.100.070 Penalty for violation.
- 17.100.080 Citation.

17.100.010 Chief building inspector duties. The chief building inspector or his authorized representative, shall enforce the provisions of this title pertaining to building height, site area and minimum setbacks. (Ord. 1810 §1 (part), 1986; Ord. 945 §76.01, 1978).

17.100.020 Health officer duties. It is the duty of the county health officer or his authorized representative to enforce the provisions of this title pertaining to the maintenance and use of property, structures and buildings so far as matters of health are concerned. (Ord. 1810 §1 §2(part), 1986; Ord. 945 §76.02, 1978).

17.100.030 Planning department duties. The planning director or his authorized representative shall enforce the provisions of this title pertaining to the use of land and structures and all other provisions not specifically covered by this chapter. (Ord. 1810 §2(part), 1986; Ord. 945 §76.03, 1978).

17.100.040 Law enforcement agencies duties. It is the duty of the law enforcement agencies of the county and of all officers of the county otherwise charged with the enforcement of the law to enforce this title and all provisions of the same. (Ord. 1810 §2(part), 1986; Ord. 945 §76.04, 1978).

17.100.050 Revocation of permit. Failure to abide by and faithfully comply with any and all conditions that may be attached to the granting of any permit pursuant to the provisions of this title shall constitute grounds for the revocation of the permit. All remedies provided for herein shall be cumulative and not exclusive. (Ord. 1810 §2(part), 1986; Ord. 945 §76.06, 1978).

17.100.060 Abatement of buildings, structures and uses. Any building or structure set up, erected, built, moved or maintained or any use of property contrary to the provisions of this title or any variance, conditional use permit, or other permit pursuant to this title is unlawful and a public nuisance, and the fully constituted authorities of the county shall immediately commence action or actions, proceeding or proceedings for the abatement, removal and enjoinder thereof in the manner provided by law, and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate and remove such building, structures or use and restrain and enjoin any person, firm or corporation from setting up, erecting, building, moving or maintaining any such building or structure for using any property contrary to the provisions of this title. (Ord. 1810 §2(part), 1986; Ord. 945 §76.05, 1978).

17.100.070 Penalty for violation. A. Any person violating any of the provisions of this title shall be guilty of an infraction, and shall be punished with a fine not exceeding one hundred dollars for the first violation, a fine not exceeding two hundred dollars for a second violation within a year, and a fine not exceeding five hundred dollars for a third violation within the period of one year.

B. The fourth and each successive violation of this title in the period of one year shall constitute a misdemeanor, and shall be punishable by a fine or not more than five hundred dollars, or by imprisonment not to exceed six months, or by both such fine and imprisonment.

C. Each and every day or portion thereof on which any violation of this title is committed, continued or permitted by any person shall constitute a separate violation hereof. (Ord. 1810 §2(part), 1986; Ord. 945 §76.07, 1978).

17.100.080 Citation. The enforcement officer or agent or his designated representative may, in addition to the other enforcement powers permitted by law, issue citations pursuant to Penal Code Sections 836.5, 853.5 and 853.6 for violations of this title. (Ord. 1810 §2(part), 1986; Ord. 1700 §2, 1984).

Table A: Uses

ZONES: <u>U</u> -Unclassified, <u>HS</u> -Highway Service, <u>GF</u> -General Forest, <u>TP</u> -Timber Production, <u>A1</u> -General Agriculture, <u>AP</u> -Agriculture Preserve, <u>RA</u> -Residential Agriculture, <u>RR</u> -Rural Residential, <u>R1</u> -Single-Family Residential, <u>R2</u> -Two Family Residential, <u>R3</u> -Multi-Family Residential, <u>SP</u> -Specific Plan, <u>RC</u> -Rural Commercial, <u>RM</u> -Rural Home Industry, <u>C1</u> -Local Commercial, <u>C2</u> -General Commercial, <u>CP</u> -Professional Office, <u>M1</u> -Light Industry, <u>M2</u> -General Industry, <u>M4</u> -Business Park, <u>REC</u> -Recreation, <u>PS</u> -Public Service.		
<u>Use</u>	<u>Permitted</u>	<u>Conditional</u>
Accepted timber practices	U, HS, GF, A1, AP, RA, SP, RM	
Accepted ranching practices	U, TP, SP	
Accepted farming practices	All Zones	
Accessory dwelling		GF, TP, A1, AP, RA, RR, R1, RM
Acid manufacturing, processing		M2
Administrative and professional office	RC, C1, C2, CP, M4	
Adult business, per Section 17.06.0110 Zoning Code		C2, M4
Agriculture product sales	RC, C2, M1, M2, M4	
Agriculture product storage	A1, AP, RC, M4	
Agriculture equipment sales, rental, service	RC, C2, M1, M2, M4	
Airport, heliport		GF, A1, AP, RA, RR, RC, C2, M4
Ambulance service	RC, RM, C1, C2, CP, M1, M2, M4, REC	RR, R1, R2, R3
Animal shelters		PS
Antique shop	RC, C1, C2, M4	
Appliance store	RC, C1, C2, M4	
Arts and crafts store	RC, C1, C2, M4	
Auto upholstery repair		C1, M4

Title 17: Table A

<u>Use</u>	<u>Permitted</u>	<u>Conditional</u>
Automotive and vehicle business parts and tools	C1, M4	
Automotive and vehicle business: car wash, gas station, parts and tools sales and rentals, repair, maintenance, service, tire sales repair installation service, upholstery	RC, C2, M1, M2, M4	
Bait shop	RC, C1, C2, M4	REC
Bakery products processing, baking, manufacturing	C2, M1, M2, M4	
Bakery	RC, C1, C2, M4	
Bank, savings and loan, financial institution mortgage broker	RC, C1, C2, M4, CP	
Bar, tavern, cocktail lounge	RC, C2, M4	C1
Barber shop, beauty salon, hair-styling studio	RC, C1, C2, M4	
Bed and breakfast	RC, C1, C2, M4	RA, RR, REC, R4, R2, R3
Beverage, food, distribution	C2, M1, M2, M4	
Bicycle shop, sales, rental, service, repair	RC, C1, C2, M4	
Billboard		C2, M2, M4
Blacksmith	RC, M4	
Boat repair, service	M1, M2, M4	
Boat sales, rental	RC, C2, M4	
Bone distillation		M2
Bookstore	RC, C1, C2, M4	
Bottle manufacturing	M1, M2, M4	
Bottling plant	M1, M2, M4	
Bowling alley	RC, C2, M4	

Title 17: Table A

<u>Use</u>	<u>Permitted</u>	<u>Conditional</u>
Building material manufacturing, processing	M2	M1, M4
Cabinet shop contained within a building		C2, M4
California Forest Improvement Program (CFIP)	GF, TP	
Campground for tents or recreation vehicles, or both		REC
Candy store	RC, C1, C2, M4	
Canvas article assembly, sales, repair	RC, C2, M1, M2, M4	
Cardroom or gaming establishment		C2
Catering service	RC, C1, C2, M1, M2, M4	
Cemetery		GF, A1, AP, RA, RR
Chemical manufacturing, processing utilizing nonhazardous, hazardous or toxic materials		M2, M4
Christmas tree farm and sales	GF	
Church	RC, C1, C2, CP, M4	GF, A1, RA, RR, R1, R2, R3, SP, REC
Circus, carnival concert or entertainment event of more than 1000 persons		A1, AP, RA, C1, C2, M4, REC
Clinic	RC, C1, C2, CP, M4	
Clothing store	RC, C1, C2, M4	
Coffin manufacturing	M1, M2, M4	
Commercial agriculture	GF, TP, A1, AP, RA, SP	HS, RR, R1, R2, R3, RC, RM, C1, C2, CP, M1, M2, M4, REC, PS
Commercial amusement use, other		REC

Title 17: Table A

<u>Use</u>	<u>Permitted</u>	<u>Conditional</u>
Commercial greenhouse, wholesale nursery	A1, AP, RA, M1	
Commercial agriculture product sales	A1, RA	
Community hall, grange hall	RC, C2, M4	GF, A1, AP, C1
Community hall	RC, C1, C2, M4	
Compressed gas manufacturing, packaging and processing		M2, M4
Computer store, sales, repair, service	RC, C1, C2, M4	
Concession stand		REC
Concrete mixing and batch plant, ready mix	M1, M2, M4	
Condominium, planned unit development, stock co-operative, townhomes	R3	
Consumer service	RC, C1, C2, M4	
Contractor's equipment yard	M1, M2	A1, C2, M4
Convalescent hospital	RC, M4	C1
Correction or prison facilities		PS
Cosmetic sales, studio	RC, C1, C2, M4	
Cosmetic manufacturing		M2
Country club	RC, C2, M4	C1
Creamery	M1, M2, M4	
Crematory, funeral and internment services		GF, A1, AP, RA, RR, RC, C1, C2, M4
Day care of preschool children, no limitation on number of students	RC, C1, C2, M4	CP

Title 17: Table A

<u>Use</u>	<u>Permitted</u>	<u>Conditional</u>
Dead animal reduction		M2
Department store	RC, C2, M4	
Drug store	RC, C1, C2, M4	
Dry cleaning store	RC, C1, C2, M4	
Dry cleaning plant	M1, M2, M4	
Duplex, one two-unit structure	R2, RC	C2, CP, M4
Electrical equipment, materials, part sales	RC, C2, M1, M2, M4	
Electronic component manufacturing	M1, M2, M4	
Electronic component assembly	M1, M2, M4, RC, C2	
Electronic equipments sales	RC, C2, M4	
Engine part manufacturing	M1, M2, M4	
Family day care home	TP, A1, AP, RA, RR, R1	
Family day care home of twelve or fewer children subject to state licensing requirements	GF, TP, A1, AP, RA, RR, R1, R2, R3, SP, RM	
Feed lot		A1, AP
Feed stores	C1, C2, M1, M4	A1, AP
Fertilizer manufacturing, processing and packaging		M2, M4
Fire station, ranger station, including visitor information center	GF, TP	
Fire station	AP	A1, REC, PS
Fish and wildlife management, hunting and fishing preserves	TP, REC	
Fish hatchery	AP, REC	
Fish hatchery, wholesale, retail fish farm	GF, A1	

Title 17: Table A

<u>Use</u>	<u>Permitted</u>	<u>Conditional</u>
Florist	RC, C1, C2, M4	
Forest station		REC
Food canning and processing	A1, C2, M4	RC
Food processing waste disposal, septage waste disposal		A1, AP
Frozen food locker	RC, C2, M1, M2, M4	
Funeral home		C1, M4
Fungicide manufacturing, processing, packaging		M2, M4
Furniture store	RC, C2, M4	
Garage or carport	RC, RM, M1, M2	C1, C2, CP, M4
Garden shop	RC, C1, C2, M4	
Gift shop	RC, C1, C2, M4	
Glass products, sales, service installation	RC, C2, M1, M2, M4	
Glass manufacturing	M1, M2	M4
Glue manufacturing		M2
Golf course in connection with a master planned community	RR, R1, R2, R3	
Golf course, driving range	RC, RM, C1, C2, CP, M1, M2, M4, REC	
Grocery store, food product sales	RC, C1, C2, M4	
Group care home of more than six		TP, A1, AP, RA, RR, R1, R2, R3
Group care home of six or fewer	GF, TP, A1, AP, RA, RR, R1, R2, R3, SP, RC, RM, C1, C2, CP, M4	
Gun shop / gunsmith	C2	C1
Gunsmith	RC, C2, M4	
Hardware store	RC, C1, C2, M4	

<u>Use</u>	<u>Permitted</u>	<u>Conditional</u>
Health spa, including hot tub rentals, exercise equipment facilities, workout rooms	RC, C1, C2, M4	
Hide processing		M2
Hobby shop	RC, C1, C2, M4	
Horse racetrack		A1, REC
Hospital	C2, CP, M4	
Hotel	C2, M4	C1, REC
Household equipment, sales, service, rental	RC, C1, C2, M4	
Insecticide manufacturing		M2
Junkyard		M2
Kennel, commercial	M1, M2, M4	RC
Kennel, commercial associated with a residence	A1, AP	GF, TP, RA
Kennel, private	RR, RA	R1, R2
Kennel, private as an accessory use to a single family dwelling	REC	
Labor camp		GF, TP, A1, RA
Laboratory, not handling toxic or hazardous substances	M4	RC
Landfill, Class II or III	M4	A1, AP, M1, M2, PS
Laundromat	RC, C1, C2, M4	
Library	RC, C1, C2, M4	
Liquor store	RC, C1, C2, M4	
Locksmith	RC, C1, C2, M4	
Lodge		REC
Lookout tower		REC
Lumber mill, sawmill	GF, TP, M1, M2	RC, M1, M4
Lumberyard	RC, C2, M4	

Title 17: Table A

<u>Use</u>	<u>Permitted</u>	<u>Conditional</u>
Machine shop	M1, M2, M4	
Machinery repair	M1, M2, M4	
Machinery sales	C2	
Management of erosion control	TP	
Marina	C2, M4	RC
Masonry product sales	RC, C2, M1, M2, M4	
Medical practices office	RC, C1, C2, CP, M4	
Metal processing, stamping, manufacturing	M1, M2, M4	
Mineral resource extraction and production		GF, TP, A1, AP, M1, M2, M4
Mini-mart with gas pumps	M4	C1
Mini-storage warehouse	C2, M1, M2, M4	RC
Model home, including a sales office, per planning director		A1, RA, RR, R1, R2, R3
Motel	C2, M4	RC, C1, REC
Multifamily dwellings	R3	C2, CP, M4, REC
Museum	RC, C1, C2, M4	CP, REC
Nursery	RC, C1, C2, M1, M2, M4	
Paint manufacturing, processing, packaging		M2, M4
Parking lot	RC, C1, C2, CP, M4	RR, R1, R2, R3, REC
Personal service business	RC, C1, C2, M4	
Pet shop	RC, C1, C2, M4	
Petrochemical storage	M2	M1, M4
Petrochemical drilling, manufacturing, processing, packaging		M2
Photographer, studio	RC, C1, C2, M4	

Title 17: Table A

<u>Use</u>	<u>Permitted</u>	<u>Conditional</u>
Photography equipment supplies	RC, C1, C2, M4	
Picnic area, park, playground, rest area	RC, C1, C2, M4, REC	A1, RA, RR
Picnic area, riding, hiking trails	GF	
Plastic assembly, processing	M2	M1, M4
Plastic manufacturing		M2
Pool / billiards facility, sales, rental	C2, M4	
Post office	RC, C1, C2, M4	
Power generation	M1, M2	RC, M4, PS
Printing, publishing	RC, C2, M1, M4	
Private conference facility or center	M4	CP
Private fishing, hunting club	A1	
Processing and assembly uses, electronic component assembly	RC, C2, M4	
Professional office	RC, C1, C2, M4	
Public agency and utility office	RC, C1, C2, M1, M2, M4	
Public utility buildings facilities structures, telecommunications transmitters and antennae	M2, M4	All Other Zones Except U and HS
Public or private park, playground	GF, RC	
Public agency facility, other than offices, excepting landfills, septage waste disposal sites, and incinerators	M4	CP

Title 17: Table A

<u>Use</u>	<u>Permitted</u>	<u>Conditional</u>
Public agency facilities, excluding Section 17.40.030(C), offices, storage yards	M1, M2, M4	
Public uses. All buildings, facilities, structures, offices, maintenance yards, or storage facilities provided there are no toxic or hazardous materials stored at the site, except those in enumerated in Section 17.48.030	PS	
Public or private entity facilities which involve the storage, handling, or use of toxic or hazardous materials		PS
Public agency offices	CP, M4	
Radio or television broadcasting studios and offices	RC, C1, C2, M4	
Real estate office	RC, C1, C2, M4	
Recreation, all other forms not enumerated in this chapter		REC
Recreation center	REC	RA, RR, R1, R2, R3
Recycling centers for paper, cans and glass	C2, M1, M2, M4	
Recycling centers handling materials other than those in Section 17.42.020 (B) (3)		M2
Rental equipment agency	RC, C2, M1, M2, M4	
Residential uses subordinate to a principal permitted use	CP	
Residence for security personnel	PS	

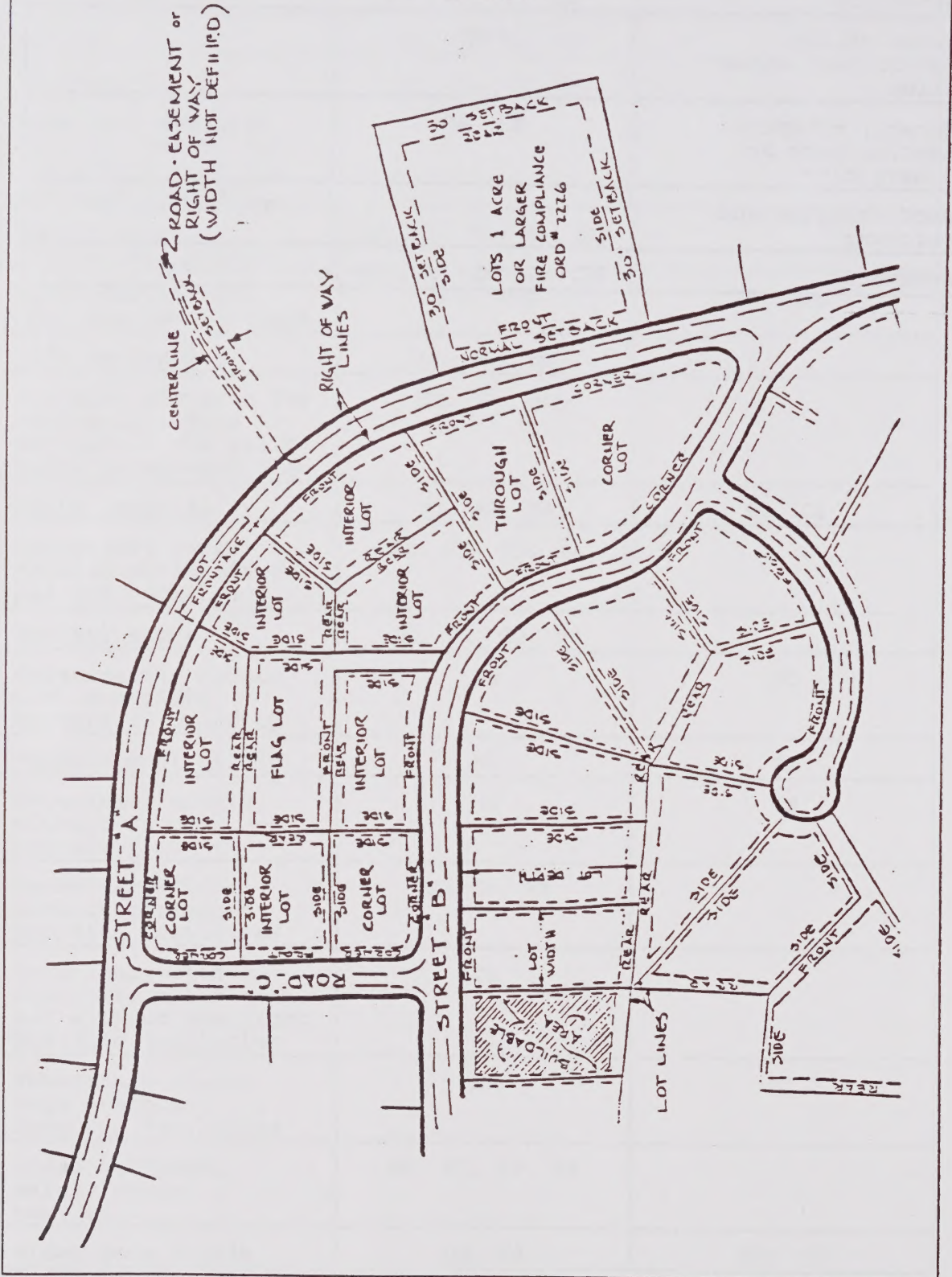
<u>Use</u>	<u>Permitted</u>	<u>Conditional</u>
Restaurant	RC, C1, C2, M4	REC
Retreat	REC	GF, A1
Riding, hiking trails for pedestrian or equestrian	REC	
Rubber manufacturing		M2
RV accessory sales	RC, C2, M1, M2, M4	
Salvage yard		M1, M2, M4
Sanitary sewage disposal facilities		PS
School	RC, C1, C2, M4, PS	GF, A1, RA, RR, R1, R2, R3, CP
Secondhand store	RC, C1, C2, M4	
Septage disposal facility		M1, M2, M4, PS
Septage waste disposal		M1, M2, M4, PS
Service shop	C2, M4	
Sewage treatment facility		M1, M2, M4
Sewage disposal facility		M1, M2, M4
Shoe store	RC, C1, C2, M4	
Single-family residence	U, HS, GF, TP, A1, AP, RA, RR, R1, R2, R3, SP, RC, RM, REC	C1, C2, CP, M4
Skating rink	C2, M4	
Snow skiing facilities		REC
Sporting goods	RC, C1, M4	
Stable, commercial		A1
Stable, private	GF, A1, AP	RA
Stadium	C2, M4	
Stereo and audio equipment sales, rental, service	RC, C1, C2, M4	
Stone and monument sales, works	C2, M1, M2, M4	

Title 17: Table A

<u>Use</u>	<u>Permitted</u>	<u>Conditional</u>
Subdivision common area	REC	
Tailor	RC, C1, C2, M4	
Taxidermist	RC, C1, C2, M4	
Temporary employee housing, except for one mobile home for security purposes		PS
Tennis club, racquetball club	RC, C1, C2, M4, REC	
Time-sharing land use, see restrictions	R3, REC	C2, M4
Tire retreading	M1, M2, M4	
Transfer stations for municipal refuse as defined in the solid waste management plan	M1, M2, M4	
Truck terminal	M1, M2, M4	RC, C2
Upholstery repair related to furniture and not vehicles	RC, C1, C2, M4	
Variety store	RC, C1, C2, M4	
Veterinarian clinic with overnight commercial boarding	M4	RC
Veterinarian clinic	A1	RA
Veterinary clinic without outdoor kennels	M4	CP
Veterinary clinic without overnight boarding facilities	RC, C2, M4	
Veterinary clinic, with hospitalization, but without overnight boarding facilities	C1	
Veterinary clinic with overnight boarding facilities	M4	C1
Video equipment, sales, rental, service	RC, C1, C2, M4	
Video game arcade	C2, M4	RC, C1

<u>Use</u>	<u>Permitted</u>	<u>Conditional</u>
Warehouse	C2, M1, M2, M4	RC, C1
Water skiing facilities, water slide	REC	
Winery, vineyard, tasting room on winery site	A1, AP	RA
Wood chipping and mulching		GF, TP, A1, AP
Woodyard	RC, C2, M1, M2, M4	RA

Setbacks
Diagram A
8/5/99



Planning

BOARD OF SUPERVISORS
COUNTY OF CALAVERAS, STATE OF CALIFORNIA
JUNE 12, 2000

ORDINANCE NO. 2624 AN ORDINANCE AMENDING THE ZONING CODE REQUIRING A CONDITIONAL USE PERMIT FOR TARGET AND SHOOTING RANGES (ZA 99-108A)

The Board of Supervisors does ordain the following:

SECTION 1. Because of the potential impacts on neighboring properties, target and shooting ranges need to have public hearings.

SECTION II. Requiring a conditional use permit is the more appropriate method for public review and input.

SECTION III. A conditional use permit will be required in General Agriculture (A1), Agriculture Preserve (AP), General Forest (GF), Timber Preserve (TP) and Recreation (REC - on more than 20 acres) zones and to the aforementioned amendments shall be as set forth in the attached Exhibit A.

This Ordinance shall, before the expiration of fifteen days of the passage of the same, be published with the names of the members of the Board of Supervisors voting for and against the same, for at least one week in a newspaper of general circulation published in the County of Calaveras and shall take effect thirty days after passage.

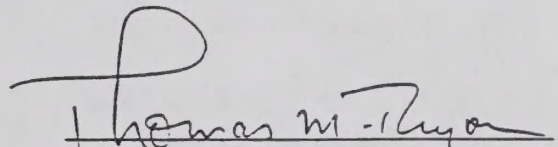
Passed and adopted this 12th day of June, 2000, by the following vote:

AYES: Supervisors Thein, Stein, Callaway & Bailey

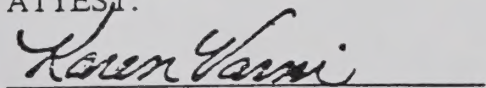
NOES: None

ABSENT: None

ABSTAINED: Supervisor Tryon


Chair, Board of Supervisors

ATTEST:



County Clerk and Ex-Officio Clerk to the
Board of Supervisors of the County of
Calaveras, State of California

PUBLISH: June 20, 2000

EXHIBIT A

99-108 ZA – AMENDMENTS TO THE GENERAL AGRICULTURE (A1), AGRICULTURE PRESERVE (AP), GENERAL FOREST (GF), TIMBER PRODUCTION (TP) AND RECREATION (REC) ZONES

Add the following to the Definitions Section 17.06

Chapter 17.06 Definitions

17.06.1852 Target Shooting Organizations: The use of property with stationary or mobile targets are provided for repetitive firing of projectiles for target practice by an organization. These provisions do not apply to strictly private uses.

Amend the following Zoning Districts:

Chapter 17.16 General Agriculture (A1) Zone

17.16.030 Conditional Uses. The following uses are permitted in the A1 zone upon approval and validation of a conditional use permit:

Y. Target and shooting ranges

Chapter 17.18 Agriculture Preserve (AP) Zone

17.18.030 Conditional Uses. The following uses are permitted in the AP zone upon approval and validation of a conditional use permit:

O. Target and shooting ranges

Chapter 17.12 General Forest (GF) Zone

17.12.030 Conditional Uses. The following uses are permitted in the GF zone upon approval and validation of a conditional use permit:

P. Target and shooting ranges

Chapter 17.14 Timber Production (TP) Zone

17.14.030 Conditional Uses. The following uses are permitted in the TP zone upon approval and validation of a conditional use permit:

I. Target and shooting ranges

Chapter 17.46 Recreation (REC) Zone

17.46.030 Conditional Uses. B. The following uses are permitted in the REC zone upon approval and validation of a conditional use permit:

16. Target and shooting ranges

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